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Bulletin 329

Annual Digest of STATE and FEDERAL LABOR LEGISLATION

U.S. DEPARTMENT OF LABOR
WAGE AND LABOR STANDARDS ADMINISTRATION

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Annual Digest of STATE and FEDERAL LABOR LEGISLATION

(Legislation enacted thru 1968)

U.S. DEPARTMENT OF LABOR
WAGE AND LABOR STANDARDS ADMINISTRATION
BUREAU OF LABOR STANDARDS

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FOREWORD

THIS BULLETIN, the thirty-first issue in a series, covers State and Federal labor laws enacted in 1968. The digests have been prepared for informational and research purposes only, and should not be regarded as official summaries.

Digests of Federal acts were based on summaries prepared by the Solicitor's Office. Digests of State laws were prepared with the assistance of staff members of the Division of Employment Standards. This bulletin was prepared by Clara T. Sorenson, under the general direction of Sylvia Weissbrodt, Chief, Division of Employment Standards, Office of Standards Development, Bureau of Labor Standards.

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INTRODUCTION

SIGNIFICANT labor law changes were made in 1968 by the legislatures of 24 States,[1] Guam, and Puerto Rico meeting in regular session, by special sessions in Arkansas and Maine, and by 1967 sessions which extended into 1968 in Ohio, Tennessee, and Vermont. Particularly important gains were made in the fields of occupational safety and public-sector collective bargaining.

Apprenticeship.—A California law prohibited the charging of a fee for entrance into an apprenticeship program, but provided that reasonable costs for expenses could be charged after acceptance. The Hawaii legislature requested a study of the State's apprenticeship and related training programs.

Child Labor and School Attendance.—A number of States took action with the apparent purpose in most instances of opening up more job opportunities for youth, or of easing prerequisite procedural requirements. Six States (California, Maryland, Michigan, New Jersey, South Carolina, and Virginia) relaxed hours of work and nightwork provisions. Four States (Maryland, Michigan, New York, and Pennsylvania) either lowered the minimum age for employment of children in certain occupations or removed certain occupations from the scope of the child labor law. Employment certificate requirements for certain minors were relaxed in California, Maryland, New York City, and Virginia.

Several States approved laws relating to hazardous employment. California permitted minors under 16 enrolled in a work-experience program to work, under specified conditions, in employment otherwise prohibited. Maryland set a minimum age of 16, rather than 16 for boys and 18 for girls, in a number of hazardous occupations. Virginia permitted girls 16 and 17 to do office work in specified places of employment otherwise prohibited until age 18, and boys 16 and 17 to be employed as helpers on

[1] Alaska, Arizona, California, Colorado, Delaware, Georgia, Hawaii, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, New Jersey, New Mexico, New York, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Virginia, and West Virginia.

trucks or commercial vehicles of "no more than two axles"; certain restrictions on other hazardous employment were tightened. Massachusetts prohibited the employment of minors as investigators or guards by private detective or patrol agencies.

Compulsory school attendance requirements were changed in two States. Virginia restored its law for statewide compulsory school attendance, replacing the "local option" law adopted in 1959. Attendance is required—with certain exceptions—between ages 6 and 17, instead of 7 and 16. New York lowered to age 6 the compulsory starting age for school attendance in New York City, but retained the 7-year starting age in other places.

Discrimination in Employment.—Oklahoma enacted an enforceable law which prohibits employment discrimination on the basis of race, color, religion, national origin, or sex. A former law provided only for conciliation and persuasion in situations alleging discrimination. The Territory of Guam also enacted an enforceable law prohibiting discrimination in employment because of race, religion, color, ancestry, sex, or age. South Dakota, a State without an antidiscrimination law, established a Commission on Human Relations authorized to hear complaints alleging violation of rights because of race, color, or creed and to recommend legislation. New York replaced the State Commission for Human Rights with a Division of Human Rights, headed by a Commissioner. Among the additional powers of the Division is the authority to inquire into conditions which may lead to tension and conflict among racial, religious, and nationality groups, and to take action under the law to alleviate such conditions. Maryland replaced a law which had made age discrimination a "harmful" employment practice with an enforceable one which protects individuals 45 to 65 years of age from such discrimination.

Hours of Work.—Following the trend of the past several years, four States relaxed their laws setting limits on women's hours of work. Arizona exempted from its law (8 hours daily and 48 hours weekly) employers who comply with the Fair Labor Standards Act, provided one and one-half times the regular rate is paid for all hours in excess of 8 a day, the employees have advance notice of overtime, and a just-cause refusal by the employee will not lead to dismissal. The State also extended to women employed in banking concerns the provision permitting work up to 10 hours a day, instead of 8, in an emergency if time and one-half is paid for all hours beyond 8 a day. In the past, the law applied only to women employed in a "manufacturing or industrial concern." In California, women employed by railroads

may work up to 10 hours daily and 58 hours weekly, provided they are paid time and one-half beyond 8 hours a day or 40 hours a week; women employed by airlines were covered by a similar provision in 1967.

Massachusetts permitted women 18 (formerly 21) and over to work in manufacturing and mercantile establishments until midnight or change shifts at that hour, instead of 11 p.m., as formerly. Puerto Rico made its provision prohibiting work between 10 p.m. and 6 a.m. specifically applicable to women hospital employees other than nurses.

Industrial Relations.—Important improvements or new legislation affecting the rights of employees in public and private employment were enacted by a number of States. New Jersey created a Public Employment Relations Commission charged with the regulation of employer-employee relations in public employment, particularly as regards dispute settlement and grievance procedures.

The Territory of Guam in enacting a comprehensive modern labor code to meet its changing labor scene, passed several industrial relations laws: an Employment Relations Act applicable to private employment, and a Public Employee-Management Relations Act for government employees; anti-injunction and anti-strikebreaking laws; and provisions invalidating contracts under which either party agrees not to belong to a union or an employer organization.

Other new laws gave the right to organize and bargain collectively: to public school employees in Maryland, but prohibited strikes by such employees; to local transportation authorities in Delaware, with a provision for binding arbitration and a strike prohibition; to public employees in Chatham County and the city of Savannah, Ga.,[2] permitting checkoff of union dues; and to policemen and firemen of political subdivisions in Pennsylvania, with provision for binding arbitration.

A 1961 California law granting public employees the right to organize and requiring public agencies to confer with their unions was strengthened by a provision (not applicable to State employees) for mediation of disputes. The amendment also called for mutual consultation in the development of rules and regulations for the administration of employer-employee relations. Delaware set up collective bargaining procedures for its State employees, and Maine provided for a Governor-appointed State Employees Appeals Board empowered to mediate and arbitrate

[2] Law held unconstitutional. *International Association of Firefighters, Local 574* v. *Floyd.* Georgia Supreme Court (411 F. 2d. 493).

grievances and disputes between individual employees and their agencies—except for issues of classification and pay. Massachusetts made it mandatory for housing authorities to bargain collectively and sign agreements with their employees.

Studies on employee-management problems in public employment were requested by the legislatures of Colorado, Hawaii, Massachusetts, Michigan, New York, and South Dakota.

In the private sector, New York strengthened its dispute mediation services by providing for a bipartisan Mediation Board, with full-time rather than the previous part-time memberships, and established a Labor-Management Advisory Board. Amendments to two States' labor relations acts extended collective bargaining protection to formerly exempt employees—in Massachusetts, to nonprofessional employees in public or private health care facilities, and in New York, to employees of nonprofit charitable, educational, and religious organizations.

Migratory Workers.—Several amendments in California related to migratory labor. The annual license fee for farm labor contractors was increased from $50 to $75. Structures accessory to permanent labor camp buildings are now required to comply with the existing regulations on housing and sanitation requirements for labor camps; and a State roster of labor camps was established in the Department of Housing and Community Development, with notification and reregistration required when the facilities of an existing camp are modified. Furthermore, the motor vehicle code was amended to require the Highway Patrol Authority to adopt regulations for safe operation of farm labor vehicles, including equipment, passenger safety, and seating.

In New York, the State's problems of migrant labor are among the matters to be studied by a legislative committee. A Virginia amendment set additional health, sanitation, and construction standards for migrant labor camps. Oklahoma made it a misdemeanor to use force to prevent a farmer or rancher from harvesting or handling agricultural products.

Occupational Safety and Health.—Vermont enacted a safety law covering all employees and all places of employment, replacing limited safety provisions for factories and workshops. The act requires the employer to furnish a safe and healthful place of work. The Commissioner of Labor and Industry is authorized to appoint industrial safety boards and to issue rules after public hearing. He also can enter and inspect all workplaces and require the employer to correct any unsafe conditions. If violation constitutes a physical hazard, the Commissioner may prohibit employment until the violation ceases.

Arizona created a Division of Safety within the Industrial Commission to draft safety standards, after public hearing, and to enforce them with the Commission's approval. The Division is required to create and administer a continuous program of safety education for employees. The Commissioner is authorized under certain conditions to order any person found in violation of the standards to cease and desist from such violation.

Alaska enlarged its Safety Council by adding representatives of the insurance industry and of recognized safety councils in the State. Also, the Alaska legislature requested the Governor to direct the Department of Labor to study its safety program and to make recommendations to the next legislature on the adequacy of the safety inspection staff.

Maryland made several improvements in its laws relating to safety. A Division of Safety Engineering and Education was created in the Department of Labor and Industry to investigate work-connected accidents and to conduct safety programs. An expanded Division of Safety Inspection will continue to perform the enforcement functions. Other enactments specifically authorized the Labor Commissioner to prohibit the use of machinery or equipment found in violation of safety regulations until the situation is corrected. The law also enlarged the employer's responsibility for safety and sanitation of the workplace, increased the scope of the State's safety advisory board to include occupational health, and called for warning identification on transparent glass doors.

New York established in its Labor Department a representative 10-member Advisory Council on Farm Labor Safety to study and investigate job safety problems of farmworkers.

New York also authorized the Labor Commissioner to enter into agreements with the Federal Government to receive grants or other assistance in connection with occupational safety provisions of any Federal safety act.

Safety and related laws applicable to the use of atomic energy continued to occupy a prominent place in State legislation. Delaware adopted a comprehensive radiation control law, to be administered by the Health Department, which requires licensing or registration of radiation sources. The Governor is authorized to enter into agreement with Federal authorities for the transfer of certain Federal responsibilities to the State. Virginia empowered its Health Department to assume responsibility for perpetual custody and maintenance of radioactive materials no longer needed by the parties operating the facilities. Tennessee created an Office of Atomic Development to advise the Governor and the legislature regarding development, regulation, and coordination

of atomic energy activities, as well as research and education in this field. The State retained its law regulating the use of atomic energy. California created a joint legislative committee to study atomic energy as well as space exploration and their beneficial applications to the economy. Massachusetts authorized the Department of Health to issue regulations for the use of laser systems.

Colorado and California became the first of 13 eligible States[3] to join the Western Interstate Nuclear Compact which will become effective when at least five States decide to become members. In organization and functions, the compact will be similar to the Southern Interstate Nuclear Compact and the Midwest Nuclear Compact.

Provisions for improved mine safety were enacted in Arizona, Kansas, Pennsylvania, and Virginia. Two jurisdictions, Massachusetts and Puerto Rico, amended the weight-lifting requirements of their laws. Arizona became the 26th State to require students, teachers, and visitors to use eye-protective devices when exposed to dangerous processes in schools.

Private Employment Agencies.—South Carolina for the first time enacted a law which requires that private employment agencies be regulated by the Labor Commissioner. The act does not apply to temporary help services. A Maryland resolution requested the Governor to appoint a commission to study the law governing private employment agencies to determine the need for revision.

State Departments of Labor.—The Territory of Guam established a new, integrated Department of Labor, headed by a director appointed by the Governor. It replaces the former Department of Labor and Personnel which dealt primarily with civil service matters. Such matters are now in a new Department of Administration.

Louisiana created a Women's Division within the Department of Labor and established a permanent Commission on the Status of Women, administratively attached to the new Division. The Commission is required to conduct studies and develop recommendations dealing with, among others, employment, wages, hours, working conditions, and education of women.

Minimum Wages.—There was little activity in the field of minimum wage legislation, with the exception of a complete revision of such laws in Arkansas and the Territory of Guam. Arkansas

[3] Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

set a minimum hourly rate of $1, which is to increase to $1.20 by 1971, applicable to both men and women; the former law provided a minimum rate of $1.25 a day for women only. The law contains a number of exemptions, including those applicable to employers of fewer than five employees and to all coverage under the Fair Labor Standards Act. Premium-pay overtime provisions for women in the former law were retained.

The Territory of Guam, where the law has always applied to men and women, increased its minimum rate from $1.25 to $1.40, continuing the overtime provision of time and one-half after 48 hours. It also extended coverage to small retail and service establishments by dropping the former exemption for employers with fewer than five employees, eliminated the exemption for employment subject to the Fair Labor Standards Act, and made other strengthening modifications to facilitate administration.

Delaware established a special wage schedule for tipped employees, with the hourly rate set at $1.15, to be increased by 15-cent annual increments to $1.60 by February 1, 1971. A provision was also made for counting tips as wages up to 50 percent of the applicable minimum rate. The $1.25 rate applicable to other employees remains unchanged.

In Wisconsin, where minimum rates are set by wage board procedure, the rate for adult women and minors 18 to 21 was increased from $1.25 to $1.30; no change was made in the $1.10 rate for minors 17 years of age and under. A California Court of Appeals has upheld the wage board rate increases for women (from $1.30 to $1.65) and minors 16 and 17 (from $1.10 to $1.35) which were to have taken effect on February 1, 1968.

New York widened coverage of its law by discontinuing an exemption for employees covered by the Fair Labor Standards Act, thereby making fringe benefits, such as overtime, higher part-time rates, and call-in pay, provided by its minimum wage orders applicable to both large and small establishments. It also prohibited an employer or any other person from accepting any part of gratuities received by an employee, or from retaining any part of a charge intended to be a gratuity for an employee. The prohibition does not apply to certain situations. New York also gave its Labor Commissioner specific authority to receive Federal funds in connection with the Federal minimum wage law.

New Jersey extended its law's exemption to all nonprofit camps operated during the summer months, instead of only nonprofit children's camps as before. Maryland exempted handicapped students employed as part of their training in special educational programs.

Wage Payment and Wage Collection.—Five States enacted amendments to laws pertaining to the payment and collection of wages. Pennsylvania and South Dakota authorized double-damage claims for failure to pay wages under certain conditions. Arizona permitted employers, at the option of and upon written authorization from an employee, to pay wages by bank deposit. Virginia prohibited employers from requiring employees to sign forfeitures of wages as a condition of employment. Oklahoma allowed employers to withhold from the final paycheck due a discharged employee any money owed the employer.

Wage Garnishment.—Although bills relating to garnishment were introduced in a number of States, very few were enacted into law. New Mexico and Vermont were the only States to make significant changes.

New Mexico extended its wage exemption formula to protect all employees, instead of only resident family heads. It also increased the protection for low-paid workers by applying the 80-percent exemption to those earning $200 or less for 30 days' service, instead of $100 as before, retaining a 75-percent exemption for those earning over this amount. Vermont became the fourth State to restrict the employer practice of firing employees subject to garnishment. Now an employer is prohibited from discharging an employee for the first five garnishments. In Connecticut and New York, a similar prohibition in previous enactments applies to a specified number of garnishments; and in Hawaii, employees are protected from all such dismissals.

Prevailing Wages.—Louisiana became the 38th State to enact a law requiring the payment of prevailing wages on public works. It requires the payment of prevailing fringe benefits as well as wages on work under contracts in excess of $25,000. Kentucky added a requirement for the payment of prevailing fringe benefits on public construction. Two bonds, one for performance, the other for protection of persons furnishing labor or materials, are now required of public works contractors in Pennsylvania.

Equal Pay.—The equal pay law in California was broadened to protect all persons from wage discrimination based on sex; formerly only women were protected. Pennsylvania extended its law to individuals employed by the State and its political subdivisions, and exempted those subject to the minimum wage provisions of the Fair Labor Standards Act. Georgia limited its equal pay act to employers in intrastate commerce.

Workmen's Compensation.—Ten States,[4] Puerto Rico, and Guam raised maximum weekly benefits for certain or all types of disability or for death. For example, temporary total disability benefits were increased from $42 to $44 in South Dakota, from $37 to $50 in Georgia, and from $60 to $85 in New York. An initiative petition was approved in Arkansas on November 5, 1968 which, among other things, increased maximum weekly benefits from $38.50 to $49. A long-sought amendment to the New York law was finally adopted, providing for a supplemental allowance, effective July 1, 1969, in certain cases of death or permanent total disability resulting from an accidental injury or occupational disease that occurred before July 1, 1960. A claimant who was permanently disabled before that date and who was receiving maximum weekly payment at the time of his injury, will receive a supplementary allowance to bring his maximum up to $50; for widows without children the new maximum is $30. In Rhode Island, a partially disabled employee unable to find suitable work can draw benefits under the temporary disability insurance act as well as under the workmen's compensation act. Such benefits were formerly available only to those totally disabled.

Maryland granted 2 years' vocational rehabilitation for employees injured after July 1, 1968, including provision for temporary total compensation and maintenance (if required to live away from home) during the rehabilitation period. Puerto Rico provided for an injured person undergoing vocational training or retraining to receive compensation up to a maximum of 26 weeks.

Medical service allowances were increased in Georgia, Kansas, Louisiana, and Rhode Island; Arizona increased medical benefits in occupational disease cases. Oklahoma, Rhode Island, and Virginia liberalized their provisions relating to furnishing or replacing prosthetic devices, and Louisiana provided for repair or replacement of such devices.

The most significant amendment to coverage of compensation law was made in Kansas, where the law was made applicable to employers of at least three instead of at least five persons.

In Mississippi coverage was extended to occupational diseases; formerly the law covered only disability or death due to exposure to ionizing radiation. Arizona and Kansas liberalized the time limit for filing radiation claims.

A major revision of the administration of the Arizona workmen's compensation law replaced the three-member Industrial Commission with a five-member part-time Industrial Commission.

[4] Alaska, Arkansas, California, Georgia, Maryland, Mississippi, New York, Oklahoma, South Dakota, and Virginia.

Alaska, Hawaii, Michigan, and Oklahoma authorized studies of various aspects of their workmen's compensation programs, and Massachusetts and Virginia continued studies previously authorized.

Other State Laws.—Four States enacted laws relating to the commercial practice of debt pooling, also called debt adjusting. Maryland and Tennessee outlawed such businesses, and Arizona passed a regulatory law. Louisiana so severely limited the permissible fees of such businesses that the effect might well restrict this practice.

California, Delaware, Georgia, Massachusetts, New Jersey, New York, Pennsylvania, and Puerto Rico passed laws for at least one of the following purposes: Combating poverty, stimulating economic development in disadvantaged areas, meeting the needs of new or expanding industry, creating employment opportunities, and providing job training, educational, or other services. In some instances these programs supplemented existing vocational programs. A Maryland resolution called attention to the need for formulating and implementing an effective industrial training program in the State.

Arizona and Maryland, both of which formerly granted 2 hours' paid voting time, modified their laws. Maryland granted up to 2 hours' paid voting time if the employee does not have 2 continuous hours off duty during the time the polls are open, and Arizona permitted absence without pay deduction for a period of time which when added to the period when the polls are open will provide a total of 3 consecutive hours before or after work in which to vote.

Georgia, Mississippi, and Virginia established licensing and qualification requirements for lie-detector machine operators.

Federal Legislation.—Congress passed a considerable number of labor and related laws in 1968 covering labor standards, manpower programs, social security, grant-in-aid programs, and observance of certain legal holidays on Mondays by Federal employees, and in the District of Columbia.

A Consumer Credit Protection Act was among the significant new laws. Title III of the act is a Federal garnishment law which becomes effective July 1, 1970. It protects from garnishment 75 percent of the worker's "disposable earnings" for any workweek or 30 times the existing Federal minimum wage, whichever is greater. It also prohibits an employer from discharging an employee by reason of garnishment for any one indebtedness. Enforcement is by the Secretary of Labor, who is authorized to

exempt from the Federal restriction garnishments issued under a "substantially similar" State law.

Another new law, the Intergovernmental Cooperation Act of 1968, sets certain criteria for Federal and State agencies administering Federal grant-in-aid programs.

The Radiation Control for Health and Safety Act of 1968, authorized the Secretary of Health, Education, and Welfare to prescribe performance standards for electronic products to limit emission of radiation.

Amendments to the Manpower Development and Training Act extended certain powers under the act to June 30, 1970; required the Secretary of Labor to develop a "labor market" information system to assist in recruitment, training, and placement; required the Secretaries of Labor and Commerce, after consultation with representatives of Government, labor, and management to study and report to the President and Congress on, among other matters, means of stabilizing employment in the construction industry; and established a supplementary program on a matching fund basis to assist disadvantaged persons in moving into productive employment.

An amendment to the Higher Education Act provided that the Director of the Office of Economic Opportunity may not place a limit on the number and percentage of participants who are 14 and 15 years of age in any in-school Neighborhood Youth Corps program.

The Railroad Retirement and Unemployment Insurance Acts were amended to provide benefits comparable to those under the Social Security Amendments of 1967. The Federal Employees' Compensation Act was amended to extend certain death and disability benefits to law enforcement officers, not employed by the United States, who are killed or injured while apprehending violators of Federal law.

Several grant-in-aid programs for training and education were extended including those under the vocational rehabilitation and the higher education acts. Under the 1968 vocational education amendments, grants were authorized for basic vocational education and for conducting vocational education programs for persons of all ages. A new 3-year grant-in-aid program, Exemplary Programs and Projects, was established. The new program is intended to "stimulate through Federal support, new ways to create a bridge between school and earning a living, for young people, who are still in school, who have left school either by graduation or by dropping out, or who are in post-secondary programs of vocational preparation, and to promote cooperation between public education and manpower agencies." Another new

program was authorized for the construction and operation of residential schools and facilities to provide vocational education for youths of high-school age.

The special grant program (to public and other nonprofit agencies) for family health service clinics for domestic migratory farmworkers was extended from June 1968 to June 1970.

The Federal Aid Highway Act of 1968 required assurances from the States seeking approval of programs that employment and apprenticeship programs on Federal aid highway construction projects are open to all qualified applicants.

A number of acts provided for construction projects; Davis-Bacon standards were made applicable to such construction.

Among other enactments the President was authorized to call a White House Conference on Aging in 1971 to develop recommendations for further research and action in the field of aging.

ALASKA

[Regular Session: 1/22/68–4/16/68]

INDUSTRIAL RELATIONS[5]

OCCUPATIONAL SAFETY AND HEALTH

Ch. 141 (*Approved 4/24/68; effective 90 days after approval*). Enlarges membership of the Safety Council, formerly composed of government officials, to include representatives of the insurance industry and of nongovernmental safety councils.

(Amends AS secs. 44.19.820, 44.19.830, 44.19.840 and adds sec. 44.19.805.)

H. Con. Res. 21 (*Adopted 3/21/68*). Requests the Governor to direct the Department of Labor to study its safety program for the purpose of making recommendations to the next legislature on the adequacy of its inspection staff.

TRAINING AND RETRAINING

Ch. 103 (*Approved 4/15/68; effective 4/16/68*). Authorizes the Departments of Labor and Education to continue to administer manpower development and training programs in order to participate in programs under the Federal Manpower Development and Training Act of 1962.

(Adds sec. 23.15.620, AS.)

WORKMEN'S COMPENSATION

Ch. 12 (*Approved 2/22/68; effective 90 days after approval*). Adds dependent father and mother to the previously eligible dependent grandchildren, brothers, and sisters as beneficiaries of death benefit when there is no surviving wife or dependent husband or children.

(Amends AS sec. 23.30.215 (a) (4).)

Ch. 41 (*Approved 3/18/68; effective 90 days after approval*). Provides for a political subdivision to elect workmen's compensation coverage for its volunteer firemen. Specifies as a base for

[5] Ch. 8, Laws of 1967, requiring unions with intrastate membership of 100 or more to charter locals in Alaska, was held unconstitutional. *State of Alaska* v. *International Union of Operating Engineers, Local 302*. U. S. Supreme Court, 1969 (406 F. 2d. 239).

computing benefits the minimum wage paid full-time firemen, or if no full-time firemen are employed, an amount predetermined by the subdivision.

(Adds new sections to AS 23.30.220, AS 23.30.265, and enacts 23.30.092.)

Ch. 178 (*Approved 4/29/68; effective 4/30/68*). Amends second-injury fund provisions by changing the formula for allocating liability between employer and the fund, specifying that the employer or his carrier shall be reimbursed by the fund for all compensation payable in excess of 104 weeks. Also requires written records showing that the employer had knowledge of the permanent physical impairment before the subsequent injury in order to qualify for reimbursement from the second-injury fund; provides a list of conditions constituting "permanent physical impairment" under the law.

(Repeals AS 23.30.205 and enacts new sections.)

Ch. 206 (*Approved 4/30/68; effective 90 days after approval*). Raises the maximum weekly payment for temporary total disability or permanent partial disability to $113 from $100 and for permanent total disability to $73.45 from $65 (resulting from an increase to $113 from $100 in the maximum weekly wages used to compute such benefits).

(Amends AS sec. 23.30.175.)

H. Con. Res. 44 (*Adopted 3/28/68*). Directs the Department of Commerce to study the State's insurance rates and losses with regard to workmen's compensation, malpractice, errors and omissions, fire and automobile insurance, and report its findings to the next legislature.

ARIZONA

[Regular Session: 1/8/68–3/21/68]
[First Special Session: 5/8/68–6/7/68]

DEBT POOLING

Ch. 45 (*Approved 3/13/68; effective 7/1/68*). Regulates the business of debt pooling. Requires any person in this business (with exceptions) to obtain a license, post a bond, pay a fee, and meet other requirements. Requires licensees to remit debtors' funds within 7 days after receipt and to maintain records open for inspection. Limits amount licensee may charge a debtor. Permits the administrator, after a hearing, to deny, revoke, or suspend a license for cause.

(Adds Ch. 6, Art. 1 to Title 6, Ariz. Rev. Stats.)

HOURS OF WORK

Ch. 12 (*Approved 3/4/68; effective 6/20/68*). Exempts from the maximum hours law for women (8 a day and 48 a week) female employees of employers who comply with the Federal Fair Labor Standards Act and requires payment of time and one-half the employee's regular rate for hours worked in excess of 8 a day and advance notice of overtime. Specifies just-cause refusal of overtime will not be grounds for dismissal.

Extends to females employed in banking concerns the provision now applicable to those employed in manufacturing or industrial concerns which permits work up to 10 hours a day instead of 8 in an emergency; and requires payment of at least time and one-half the employee's regular rate for all hours in excess of 8 a day.

(Amends sec. 23-281, Ariz. Rev. Stats.)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 6. See **Workmen's Compensation.**

Ch. 111 (*Approved 3/18/68; effective 7/1/68*). Extends the scope of the mine safety law to cover open pit and sand and gravel operations. Expands safety requirements in all phases of mining. Newly requires operators in uranium operations to test regularly for radon daughter concentration.

(Amends Ch. 3, Title 27, Ariz. Rev. Stats.)

Ch. 132 (*Approved 3/19/68; effective 7/1/68*). Requires that eye-protective devices meeting the standards of the American National Standards Institute be worn by teachers, students, and visitors when participating in certain courses requiring the use of specified hazardous substances, equipment, or processes. Requires schools, colleges, and universities to furnish such devices.

(Adds Ch. 15, Art. 1 to Title 15, Ariz. Rev. Stats.)

STATE DEPARTMENT OF LABOR

Ch. 6. See **Workmen's Compensation.**

TIME OFF FOR VOTING

Ch. 181 (*Approved 3/21/68; effective 6/20/68*). Permits an employee who has less than 3 consecutive hours before or after work within which to vote to absent himself without pay deduction for a period of time which, when added to the period when the polls are open, will provide a total of 3 consecutive hours. (The law formerly granted 2 hours' paid voting time.) Retains the provision that an employee must notify his employer in advance that he requires time off, and that the employer may specify the hours of absence.

(Amends sec. 16-897, Ariz. Rev. Stats.)

WAGE PAYMENT AND WAGE COLLECTION

Ch. 171 (*Approved 3/20/68; effective 6/20/68*). Permits employers at the option of, and with written authorization from an employee, to pay wages by bank deposit. Prohibits denial of employment or discharge for refusal to consent to payment of wages by bank deposit.

(Amends sec. 23-351, Ariz. Rev. Stats.)

WORKMEN'S COMPENSATION

Ch. 6 (*Approved 6/12/68; effective 1/1/69*). Reorganizes the Industrial Commission. Replaces the three-member Industrial Commission by a five-member part-time Industrial Commission, to be appointed by the Governor for 5-year terms. Creates a three-member Board of Directors of the State Compensation Fund, thus separating the investment function from the adjudication of claims. Authorizes the Commission to appoint hearing officers to make initial decisions on injury claims. Places the hearing officers under civil service regulations. The Commission will serve as the board of appeals from decisions of the hearing officers; from the Commission, appeals will go directly to the State Appellate Courts. Creates a special fund to protect an injured employee whose employer fails to obtain coverage or permits a policy to lapse.

Creates a Safety Division within the Commission, headed by a Director appointed by the Commission. Gives division the authority to draw up regulations for the consideration of the Commission, issue cease-and-desist orders to violators, obtain court injunctions in severe cases, and administer a continuing employee accident prevention program through education.

Broadens coverage of radiation illness, and provides that a claim based upon such illness shall be filed within 1 year after the employee sustains the disability and knows or should know of the existence of the disability and its possible relationship to his employment; in death cases, time limit is set at 6 months after knowledge.

Raises medical benefits for occupational diseases for totally disabled persons to 100 percent of reasonable expenses up to $2,000 plus 80 percent of such expenses thereafter; and for partially disabled persons, to 100 percent of reasonable expenses up to $1,000 plus 80 percent of such expenses thereafter up to a maximum of $5,000 (formerly such limits were $1,000 and $500, respectively).

Provides that an injured employee may rely on treatment through spiritual means of a recognized church or religious de-

nomination without a reduction or suspension of compensation benefits.

Limits attorney fees to 25 percent of awards for 10 years in the hard-to-prove cases, and to 25 percent for 5 years in the easier loss-of-earning capacity cases.

(Amends various sections of the Workmen's Compensation Law, Ariz. Rev. Stats.)

Ch. 54 (*Approved 3/13/68; effective 6/20/68*). Increases the monthly wage on which premium payments and benefits are computed to $500 from $400 for volunteer firemen and policemen, and to $500 from $300 for members of the highway patrol reserve.

(Amends sec. 23-901 Ariz. Rev. Stats.)

ARKANSAS

[First Special Session: 2/5/68–2/21/68]
[Second Special Session: 5/20/68–5/30/68]

WAGES AND HOURS—ALL WORKERS

Act 25 (*Approved 2/19/68*). Enacts a minimum wage law for men and women, replacing the former law which set a daily rate of $1.25 for women and girls. Sets a minimum wage of $1.00 an hour beginning January 1, 1969 increasing to $1.20 in 1971. Exempts employers of fewer than five employees, all FLSA coverage, farmworkers employed by an employer who did not use more than 500 man-days of agricultural labor in any calendar quarter of the preceding calendar year, and certain other workers such as outside commission salesmen, public employees, and students performing services for any school in which they are enrolled. Authorizes the Commissioner of Labor to administer and enforce the act. Creates a tripartite Labor Board and requires it, after public notice and public hearing, to make regulations including, among other things, the definition of terms and the amount of reduction in the minimum wage rate, not to exceed 30 cents an hour for gratuities received or for the reasonable value of board, lodging, and other services. Authorizes the Board to set lower rates for the handicapped, learners, apprentices, and full-time students. Retains the existing premium pay requirement applicable to women only of time and one-half the regular rate for hours worked in excess of 8 a day and on the 7th day.

WORKMEN'S COMPENSATION

S. 32-X (*Approved and effective 2/15/68*). Authorizes two or more contiguous counties to create and establish one or more authorities to acquire, equip, construct, maintain, and operate

regional airports, and requires any regional authority created under the act to provide workmen's compensation insurance for its employees.

Initiated Act No. 1 (*Approved 11/5/68; effective 12/5/68*). Raises maximum weekly benefits for disability or death to $49 from $38.50 and the maximum total benefits to $19,500 from $14,500. Makes the existing 450-week limitation and the $19,500 total benefit limitation inapplicable in case of permanent total disability or death. Increases the total compensation payable for a prior permanent injury and a subsequent permanent injury received in the employ of the same employer to $19,500 from $12,500, the sum total not to exceed 450 weeks' compensation. Increases benefits by 15 percent where injury or death results from failure by employer to comply with safety laws. Doubles benefits payable on injury or death of minors illegally employed under minimum age laws. Increases to $3,500 from $2,000 compensation for serious and permanent facial or head disfigurement, and deletes requirement that such compensation be based on future earning capacity. Raises burial allowance to $750 from $500. Provides for reasonable expenses up to 40 weeks for vocational rehabilitation for employees with compensable permanent disability.

Reduces to 2 weeks from 4 weeks the length of time disability must last for benefits to be payable from the first day. Provides that the time for filing a claim shall be from the date of the injury, rather than the date of the accident. Increases to 2 years from 1 year the time allowed to file a claim for compensation on account of death. Specifies that the time limitation on filing for additional compensation shall not apply to claims for medicine, crutches, artificial limbs, or other prosthetic devices permanently or indefinitely required as the result of a compensable injury.

(Amends secs. 81-1310, 81-1310.1, 81-1313 (f), (g), 81-1315 (a), 81-1318, and 81-1335, Ark. Stats. Ann.)

CALIFORNIA

[Regular Session: 1/8/68–9/13/68]
[First Special Session: 9/9/68–9/20/68]

AGRICULTURAL WORKERS

Ch. 733. See **Migratory Workers.**

APPRENTICESHIP

Ch. 1123 (*Approved 8/8/68*). Prohibits organizations of employees, as well as employers and joint apprenticeship commit-

tees as before, from setting a maximum age of less than 31 years for apprentices at time of entry into the training program.

(Amends sec. 3077.5, Labor Code.)

Ch. 1124 (*Approved 8/8/68; effective 11/13/68*). Prohibits charging a fee for acceptance of an application for entrance into apprenticeship programs, but permits reasonable costs for expenses incurred after the applicant has been accepted.

(Adds sec. 3091, Labor Code.)

Ch. 1346 (*Approved 8/14/68; effective 11/13/68*). Requires the Apprenticeship Council to administer impartially procedures by which apprentice applicants are selected for training and to keep specified information about apprenticeship programs on file in all high schools and State employment offices. Requires the joint apprenticeship committee to establish criteria for selecting applicants for training, to furnish copies of selection procedures to applicants, and to those not selected, a statement giving reason for nonselection. Requires that discrimination complaints be filed with the State Fair Employment Practice Commission, rather than with the Division of Apprenticeship Standards. Details procedures for processing such complaints thereafter by the Commission, the Administrator of Apprenticeship, and the Division of Apprenticeship Standards.

(Amends secs. 3071, 3076, and 3096, Labor Code.)

Ch. 1411 (*Approved 8/21/68; effective 11/13/68*). Requires contractor or subcontractor employing apprentices on public works contract to obtain from joint apprenticeship committee administering craft or trade standards in the work area a certificate approving contractor's or subcontractor's training standards and fixing ratio of employable apprentices to journeymen. Provides for exemption from ratio standard under specified conditions. Specifies that contractor or subcontractor who is not contributing funds to apprenticeship program shall do so in same manner as other contributing contractors. Permits contractors or subcontractors to include the amount of such contributions in computing bids for contracts.

(Amends sec. 1777.5, Labor Code.)

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 675 (*Approved 7/18/68; effective 11/13/68*). Permits students under 16 enrolled in an approved work-experience education program to operate machinery or work in places of employment otherwise prohibited if the work-experience coordinator determines the student has received sufficient training for the work and if parental consent is obtained.

(Adds sec. 1295.5, Labor Code.)

Ch. 849 (*Approved and effective 7/31/68*). Drops several requirements formerly imposed before work permits could be issued for minors (e.g., the requirement that the parent accompany the minor applying for a permit, and the requirement for a physician's physical fitness certificate), retaining these prerequisites only for a limited category of minors age 14–16 who qualify for a permit because of economic need.

(Amends secs. 12260 and 12261, Education Code.)

Ch. 948 (*Approved 8/1/68; effective 11/13/68*). Permits any minor over 14 years of age enrolled in an approved work-experience education program to work outside school hours for up to 4 hours a day on any day he is required to attend school.

(Amends secs. 12259 and 12704, Education Code.)

Ch. 1050 (*Approved and effective 8/6/68*). Permits the establishment for a 2-year period, upon approval of the Superintendent of Public Instruction, of an experimental 4-quarter year-round kindergarten and elementary school program in unified school districts having an average daily attendance between 30,000 and 35,000. Makes attendance mandatory for minors between 6 and 16, but permits the governing board to grant an exemption to any pupil upon parental request. Requires that pupils exempted from the program be furnished transportation to schools in other attendance areas.

(Adds Ch. 16 to Div. 6, Education Code.)

DEBT POOLING

Ch. 1208 (*Approved 8/9/68; effective 11/13/68*). Exempts from the law regulating debt pooling certain nonprofit community service organizations if their principal functions are consumer credit education, counseling on consumer credit problems and family budgets, and arranging for or administering debt settlement plans. Permits such organizations to charge for administrative expenses the lesser of 5 percent of the money disbursed monthly or $10 per month.

(Amends sec. 12100, Financial Code.)

DISCRIMINATION IN EMPLOYMENT

Ch. 1245 (*Approved 8/12/68; effective 11/13/68*). Makes it unlawful for a labor organization to discriminate against any person because of race, religion, color, national origin, or ancestry in election of the organization's officers or in the selection of its staff.

(Amends sec. 1420, Labor Code.)

Ch. 1320 (*Approved 8/14/68; effective 11/13/68*). Authorizes the Fair Employment Practice Commission, upon request from

an appropriate State or local body or any person directly affected, to provide assistance through conference, conciliation, and persuasion in resolving disputes or difficulties relating to discriminatory practices based on race, religion, color, national origin, or ancestry.

(Adds secs. 1419.7 and 1419.9, Labor Code.)

Ch. 1346. See **Apprenticeship.**

HOURS OF WORK

Ch. 361 (*Approved 6/25/68; effective 11/13/68*). Permits, for purposes of computing overtime, a licensed hospital and its female employees including graduate nurses to designate by agreement, as under the Fair Labor Standards Act, a work-period of 14 consecutive days in lieu of a workweek of 7 consecutive days and requires payment of time and one-half for all hours in excess of 8 a day and 80 hours in such 14-day period. Except in emergencies, prohibits employment in excess of maximum hours (10 a day, 58 a week) during such 2-week period.

(Adds sec. 1352.2, Labor Code.)

Ch. 1342 (*Approved 8/14/68; effective 11/13/68*). Permits females employed by railroads to work up to 10 hours a day and 58 hours a week provided they receive overtime pay of one and one-half times their regular rate for work in excess of 8 a day or 40 a week.

(Amends sec. 1350.5, Labor Code.)

INDUSTRIAL RELATIONS[6]

Ch. 880. See **Wages—Public Works.**

Ch. 1277 (*Approved 8/13/68; effective 11/13/68*). Authorizes public agencies to adopt rules or regulations prohibiting management and confidential employees from representing any employee organization on matters within the scope of representation.

(Adds sec. 3507.5, Government Code.)

Ch. 1390 (*Approved 8/21/68; effective 1/1/69*). Amends the law relating to public employee organizations. Among other things, requires representatives of public agencies to meet and confer in good faith with representatives of recognized employee organizations and endeavor to reach agreement on matters relating to employment conditions and employer-employee relations. Requires a joint memorandum of any understanding (not binding) reached during negotiations to be submitted to the governing body for determination. Provides for appointment of a mediator by mutual agreement if the parties fail to agree. Provides for

[6] Marin County Board of Supervisors on 1/9/68 adopted Resolution No. 9556 establishing policy and procedure for the administration of employer-employee relations.

public agencies to confer with recognized employee organizations before adopting rules and regulations within the scope of representation. Specifically exempts employees of the State from the above amendments.

(Amends secs. 3500, 3501, 3503, 3504, 3505, 3507, and 3508; adds secs. 3504.5, 3505.1, 3505.2, 3505.3, 3510, 3511, Government Code.)

MIGRATORY WORKERS

Ch. 730 (*Approved 7/25/68; effective 11/13/68*). Requires any housing authority operating a farm labor camp to permit occupancy by agricultural workers for no less than 270 days if the Director of Agriculture certifies that seasonal crops will retain workers in the area for such a time period.

(Adds sec. 36069, Health and Safety Code.)

Ch. 733 (*Approved 7/25/68; effective 11/13/68*). Raises to $75 from $50 the annual licensee fee for farm labor contractors.

(Amends sec. 1684, Labor Code.)

Ch. 845 (*Approved 7/31/68; effective 11/13/68*). Requires buildings accessory to permanent labor camp buildings to comply with housing and sanitation requirements applicable to permanent buildings. Makes other clarifying and conforming changes.

(Amends secs. 2611, 2612, 2612.5, 2613, 2615, 2616, 2617.5, 2620, 2622, 2628, 2629, 2635, 2636, 2640, 2641, and 2645, Labor Code.)

Ch. 846 (*Approved 7/31/68; effective 11/13/68*). Establishes a State roster of labor camps in the Department of Housing and Community Development. Requires registration of any camps not registered during 1968, all new camps, and notification and reregistration when any modification is made to an existing camp.

(Amends sec. 2630, Labor Code.)

Ch. 1019 (*Approved 8/6/68; effective 7/1/69*). Amends the Vehicle Code to require the Department of the California Highway Patrol to adopt regulations governing the safe operation of farm labor vehicles, including equipment, passenger safety, and seating.

(Repeals and reenacts Art. 2, Chap. 5, Div. 13, Vehicle Code.)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 262 (*Approved 8/12/68*). Creates a Joint Legislative Committee on Atomic Development and Space to study the domestic application of atomic energy and space to the economy of the State; to make recommendations for legislation to implement future developments in this field and to make suggestions on the State's future role in the area of atomic energy and space.

Requires the Committee to report its findings to the 1970 regular session of the legislature.

Ch. 845. See **Migratory Workers.**

Ch. 913 (*Approved 8/1/68*). Provides for entrance into the Western Interstate Nuclear Compact. Specifies that any or all of 13 Western States are eligible for membership and entry by five States activates the Compact. Creates the Western Interstate Nuclear Board composed of two representatives from each party State. Provides for Guam and American Samoa to participate in the Compact to the extent mutually agreed upon between these jurisdictions and the Board, but without voting participation until they become full parties to the Compact.

The Compact, similar in nature to the Southern Compact activated several years ago, includes a declaration that the proper employment of nuclear energy can assist substantially in the industrial progress of the West and that optimum benefit from acquisition of nuclear resources requires systematic encouragement and promotion from the party States on a cooperative basis.

(See footnote 3, p. 6 for list of eligible States.)

Ch. 1019. See **Migratory Workers.**

Ch. 1159. See **Workmen's Compensation.**

PRIVATE EMPLOYMENT AGENCIES

Ch. 4 (*Approved and effective 3/12/68*). Reduces the annual license fee to $75 for babysitting employment agencies, instead of $200 ordinarily applicable to general employment agencies.

(Amends secs. 9929 and 9997, Business and Professions Code.)

Ch. 733. See **Migratory Workers.**

Ch. 908 (*Approved 8/1/68; effective 11/13/68*). Permits an employer whose only means of making placements is by the use of a computer system to match request of workers for jobs with requirements of employers for workers and to charge a nonrefundable fee of up to $15 to either the employer or the worker, but not to both. Makes such agencies subject to all provisions of the law regulating private employment agencies, except those prohibiting registration fees; or making a referral without a bona fide order; or giving an applicant a contract with specified information following receipt of any money.

(Adds sec. 9984.5, Business and Professions Code.)

STATE DEPARTMENT OF LABOR

Ch. 1460 (*Approved 8/24/68*). Removes the Department of Human Resources Development from the Human Relations Agency, designates it as the successor to the Department of Employment and gives it the duties, purposes, responsibilities, and juris-

diction heretofore exercised by that Department and transfers staff. Provides for transfer and consolidation of various State and Federal programs and funds relating to job training and other employment related services to the new Department. Establishes a Division of Job Training and Development in the new Department to administer all job training and placement programs and services. Provides for the Division of Apprenticeship Standards to continue in the Department of Industrial Relations and provide services to the new Department as requested and contracted for.

TRAINING AND RETRAINING

Ch. 961 (*Approved 8/1/68; effective 11/13/68*). Authorizes the governing board of a school district which offers classroom instruction in upgrading and postgraduate courses pursuant to on-the-job training programs to impose a fee, not to exceed the cost of classroom instruction, on individuals enrolled in such courses.

(Amends sec. 10509, Education Code, and adds sec. 3074.7, Labor Code.)

A. Con. Res. 82. See **Veterans' Reemployment Rights.**

VETERANS' REEMPLOYMENT RIGHTS

A. Con. Res. 82 (*Adopted 6/28/68*). Requests the State Personnel Board to cooperate with the Department of Defense, through the Department's Project Transition, in assisting returning Vietnam veterans to find positions in State government, and, in light of the above, requests the Board to reexamine its training and hiring policies. Also requests county and local government agencies to cooperate in this effort.

WAGES—EQUAL PAY

Ch. 325 (*Approved 6/20/68*). Amends equal pay law to require payment of the same rate of wages to males and females performing the same quantity and quality of work in the same establishment, rather than to prohibit payment of lesser rate of wages to females than is paid to males. Prohibits reduction of any employee's wages in order to comply with the law.

(Amends secs. 1197.5 and 1199, Labor Code.)

WAGES—PREVAILING WAGES

Ch. 699 (*Approved 7/22/68; effective 7/1/69*). Provides that agency awarding a contract for public works may, in lieu of specifying the prevailing rate of per diem wages in its call for bids, refer instead to copies of wage schedules in its prin-

cipal office, and, in such case, requires the contractor to post a copy at the jobsite. Imposes a duty upon awarding body that chooses to refer simply to its file copies to publish its determination in a newspaper of general circulation at least annually and, if prevailing rates are changed during any year, to specify the changes in the first call for bids made thereafter.

Extends to 20 from 10 days the time limit after advertising of call for bids within which verified petition may be filed with Director of Industrial Relations for review. Requires Director to make a determination within 10 days of such petition, rather than 20 days.

(Amends secs. 1773, 1773.4, Labor Code.)

WAGES—PUBLIC WORKS

Ch. 880 (*Approved 8/1/68*). Specifies that body awarding any public work contract shall include in the contract specification a clause requiring payment of travel and subsistence as defined in applicable collective bargaining contracts to workmen needed to perform the public work.

(Adds sec. 1773.8, Labor Code.)

WORKMEN'S COMPENSATION

Ch. 4 (*Approved 9/25/68; effective 1/1/69*). Raises the maximum weekly temporary total disability benefit to $87.50 from $70 by increasing to $134.62 from $107.69 the maximum average weekly earnings used to compute benefits. Raises maximum death benefits to $20,000 from $17,500 in cases of total dependency, except that for surviving widow and dependent minor children, raises such benefits to $23,000 from $20,500. Raises maximum burial allowances to $1,000 from $600 for employees in general, and from $400 for members of the State Employees' Retirement Fund, and to $700 from $300 for disaster service workers. Defines the terms "specific" and "cumulative" injury and specifies the procedure for handling such claims.

(Adds sec. 3208.1 and 3208.2, amends secs. 4368, 4453, 4454, 4460, 4701, 4702, 4707, 5303, Labor Code.)

Ch. 1146 (*Approved 8/8/68*). Authorizes county boards of education or county superintendents of schools to extend coverage to persons performing authorized volunteer services for their jurisdictions.

(Amends sec. 1019, Education Code and sec. 3364.5, Labor Code.)

Ch. 1159 (*Approved 8/8/68*). Requires the State Department of Health to maintain a program of occupational health and occupational disease prevention including, but not limited to, develop-

ment of recommendations for control of work-induced diseases; maintenance of information on effects of industrial chemicals and work practices on health of workers; and collection of statistics on causes and prevalence of work-induced diseases in the State. Requires Department to avoid duplicating or overlapping activities of other State departments or agencies.

(Adds Art. 13 to Ch. 2, Part 1, Div. 1, Health and Safety Code.)

Ch. 1178 (*Approved 8/9/68*). Excludes reserve policemen and reserve firemen employed by a county, city, town, or district from the provision authorizing leave of absence with pay in lieu of workmen's compensation for certain police and fire employees.

(Adds sec. 4855, Labor Code.)

Ch. 1204 (*Approved 8/9/68*). Excludes from the workmen's compensation law household domestics engaged in part-time care and supervision of children in a private residence for less than 52 hours a week.

(Amends sec. 3352, Labor Code.)

MISCELLANEOUS

Ch. 1270 (*Approved 8/13/68; effective 11/13/68*). Prohibits an employer from discharging an employee absent from employment because of service on an inquest or trial jury, if reasonable notice of such required service has been given.

(Adds sec. 230, Labor Code.)

Ch. 1455 (*Approved 8/24/68*). Provides for the establishment and operation of California job development corporations whose purposes are to stimulate economic development, employment, minority entrepreneurship, and job training within economically disadvantaged areas. Establishes the California Job Development Corporation Law Executive Board. Creates in the State Treasury the State Job Development Loan Guarantee Fund to serve as depository for public and private funds, which are allocated to job development corporations. Orders $1 million appropriation from General Fund to Department of Finance for use in connection with this act.

(Adds Pt. 4, secs. 14,000 to 14,121, Div. 3, Title 1, Corporations Code.)

COLORADO

[Regular Session: 1/3/68–3/25/68]

INDUSTRIAL RELATIONS

H. J. Res. 1026 (*Adopted 3/9/68*). Directs the Legislative Council to appoint a committee to study legal procedures that

should be established for conducting collective bargaining negotiations between public employees and their employers and to report its findings to the first regular session of the 47th General Assembly.

OCCUPATIONAL SAFETY AND HEALTH

S. 7 (*Approved 3/28/68*). Provides for entrance into the Western Interstate Nuclear Compact. (California also approved entry in 1968.) Colorado law is similar to the California one except that it provides for one representative from each party State, instead of two, on the Western Interstate Nuclear Board. See California, p. 23. Also see footnote 3, p. 6, for list of eligible States.)

(Adds Art. 14, Ch. 74, Colo. Rev. Stats., 1963.)

STATE DEPARTMENT OF LABOR

S. B. 1. (*Approved 4/2/68; effective 7/1/68*). The Administrative Organization Act of 1968. Reorganizes the State government into 17 principal departments. Creates a Department of Labor and Employment consisting of two divisions: the Industrial Commission and the Division of Employment. Transfers all the powers, duties, and functions of the former Industrial Commission and the Department of Employment to the newly created divisions. Also transfers as sections to the Industrial Commission the following: the Apprenticeship Council, the Division of Boiler Inspection, the Office of State Inspector of Oils, and the State Compensation Insurance Fund.

DELAWARE

[Regular Session: 2/6/68–11/5/68]

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 306 (*Approved and effective 6/14/68*). Appropriates $350,000 to provide employment during the summer of 1968 for disadvantaged youths over 14 and under 21, or over 21 if a college student. Sets certain eligibility requirements. Provides that moneys earned under this program shall not be considered as income in considering eligibility for assistance under any welfare program.

INDUSTRIAL RELATIONS

S. 340 (*Approved and effective 5/1/68*). Establishes a Department of Transportation with authority to create local transportation authorities. Permits any authority so created to bargain

collectively with labor organizations. Provides for submission of unresolved labor disputes to final and binding arbitration on written request of either party pursuant to a collective bargaining provision, or in the absence of such a provision to a three-member arbitration board with written consent of both parties. Prohibits strikes.

(Adds Chs. 15 and 16 to Title 2, Del. Code.)

H. 624 (*Approved and effective 7/1/68*). Specifically provides that all provisions of the act giving public employees the right to organize shall apply to State personnel under the merit system.

(Repeals sec. 1312 and renumbers sec. 1313 as 1312; amends and renumbers secs. 5931 thru 5938, amends secs. 5902, 5907, 5911, 5916, 5943, and 5949, Del. Code.)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 266 (*Approved and effective 4/26/68*). Enacts a radiation control law establishing a regulatory program under a seven-member Authority on Radiation Protection. Designates the State Board of Health, under the general direction of the Authority, as the administrative agent with the same powers as the Authority except for rulemaking. Provides for licensing of radiation sources, inspection and recordkeeping. Authorizes the Governor to enter into Federal-State agreements for the transfer of certain Federal radiation control responsibilities.

(Adds secs. 7401 through 7416 to Title 16, Del. Code.)

TRAINING AND RETRAINING

S. 315 (*Approved 1/8/68*). Authorizes the Governor to transfer funds to the Opportunities Industrialization Center, Inc., on a matching basis for the purpose of training the unskilled labor force for available skilled employment.

H. 520. See **Miscellaneous.**

WAGE PAYMENT AND WAGE COLLECTION

H. 565 (*Approved and effective 8/9/68*). Requires any employer who is a party to an agreement to pay or provide benefits or wage supplements to pay such necessary amounts within 30 days after they are required to be made. Defines benefits or wage supplements to include, but not limited to, reimbursement for expenses; health, welfare, or retirement benefits; and vacation, separation, or holiday pay, but does not include disputed amounts of such compensation subject to handling under dispute procedures established by collective bargaining agreements.

(Adds sec. 1109 to Title 19, Del. Code and renumbers secs. 1109 through 1114 as secs. 1110 through 1115.)

WAGES AND HOURS—ALL WORKERS

H. 227 (*Approved 6/28/68*). Sets minimum wage rates for employees who customarily receive gratuities at $1.15 an hour beginning July 1, 1968, increasing to $1.30 beginning February 1, 1969, with annual 15-cent increments to $1.60 by February 1, 1971. Retains the present $1.25 minimum rate for nontipped employees.

Defines a person who receives gratuities as one who regularly receives more than $20 a month. Provides that gratuities may be counted as wages but not to exceed 50 percent of the applicable minimum rate. (Formerly the employer was entitled to apply to the department for a gratuity allowance, which was to be set by regulation.)

(Amends sec. 902, Del. Code.)

MISCELLANEOUS

H. 520 (*Approved 7/25/68; effective 7/1/68*). Provides a tax credit to certain business firms offering assistance to neighborhood organizations providing job training, education, and other services which benefit individuals living in impoverished areas.

(Adds Ch. 20 to Title 30, Del. Code.)

GEORGIA

[Regular Session: 1/8/68–3/8/68]

INDUSTRIAL RELATIONS

Act 967[7] (*Approved and effective 4/2/68*). Grants to all public employees of Chatham County and the city of Savannah the right to organize and bargain collectively on questions of wages, hours, and other conditions of employment, and the methods of resolving disputes. Requires agreements to be reduced to writing. Permits deduction of dues upon employee's written authorization.

TRAINING AND RETRAINING

Act 1065 (*Approved 4/8/68; effective 7/1/68*). Establishes a special training program within the State Department of Education to meet the needs of new and expanding industry. Provides that training under this act shall be supplemental to programs offered by Area Vocational-Technical Schools, State Technical and Vocational Schools, and the public high schools.

[7] Law held unconstitutional. *International Association of Firefighters, Local 574, v. Floyd,* Georgia Supreme Court (411 F. 2d 493).

Provides that the program established by the act shall be concerned only with training for skilled and semiskilled operations requiring learning time of 1 year or less and shall terminate when training needs have been met. Permits basic academic education to be included as part of the training program when necessary to insure the trainee's success in the program.

WAGES—EQUAL PAY

Act 1200 (*Approved and effective 4/11/68*). Makes the equal pay act applicable to employers of 10 or more employees engaged in intrastate commerce, rather than to employers of 10 or more employees. Authorizes the Commissioner of Labor to enforce the act.

(Amends sec. 54-1002 and adds a new section to Ch. 54-10, Ga. Code Ann.)

WORKMEN'S COMPENSATION

Act 617 (*Approved and effective 2/9/68*). Increases maximum weekly benefits for total disability to $50 from $37, the minimum to $15 from $12, and the aggregate maximum to $18,000 from $12,500. For permanent partial nonschedule disability, raises maximum weekly benefits to $39 from $30 and the aggregate maximum to $12,000 from $9,000. For death benefits, raises maximum weekly benefits to $42.50 from $31.45, and the minimum to $12.75 from $10.20. Raises burial expenses to $750 from $500. Raises the amount allowed for medical, surgical, and other treatment and supplies to $5,000 from $2,000. Removes the 10-week limit on such benefits and eliminates the $500 additional allowance which the Board could order.

(Amends secs. 114-404, 114-405, 114-413, 114-501, and 114-709, Ga. Code Ann.)

Act 1084 (*Approved and effective 4/9/68*). Extends coverage of the workmen's compensation act to all full-time county employees and employees of elected, salaried county officials. Permits elected county officers to be brought under the act if the governing authority provides therefor by resolution.

(Amends sec. 114-101, Ga. Code Ann.)

MISCELLANEOUS

Act 1135 (*Approved 4/9/68; effective 7/1/68*). Requires licensing of polygraph examiners (lie-detector operators) and trainees, and sets minimum qualifications. Gives administrative responsibility to the Board of Polygraph Examiners. Exempts such examiners employed by a municipal, county, State, or Federal agency.

AGE DISCRIMINATION

P.L. 9-254, Ch. 2. See **Discrimination in Employment.**

DISCRIMINATION IN EMPLOYMENT

P.L. 9-254, Ch. 2 (*Approved 9/5/68*). Makes it unlawful to discriminate in employment because of race, sex, age, religion, color, or ancestry. Prohibits specified discriminatory practices by employers, employment agencies, or labor organizations.

Makes the Department of Labor responsible for administration and enforcement with rulemaking authority. Directs the Department to make an investigation when it appears to it that unlawful discrimination may have been committed, and to endeavor to eliminate the discrimination by conference, conciliation, and persuasion. Also provides that an aggrieved person, or the Attorney General, may file a complaint with the Department; directs the Department to investigate the complaint and attempt to eliminate the discrimination and, if this fails, to hold a hearing, conducted in accordance with the Guam Administrative Adjudication Law. On a finding of discrimination, provides that the Department shall issue a cease-and-desist order and a requirement that affirmative action be taken, such as hiring, reinstatement, or restoration to union membership. Provides that the order include a reference to the respondent's right of appeal under the Administrative Adjudication Law.

(Adds secs. 55020 thru 55028 to Title LVI, Government Code of Guam.)

INDUSTRIAL RELATIONS

P.L. 9-240 (*Approved 8/13/68*). Enacts the Public-Employee Management Relations Act of Guam to be administered by the Department of Administration. Grants employees of the classified service of Government the right to organize and bargain collectively and enter into written agreements on specific terms and conditions of employment, or to refrain from such activities. Provides for exclusive representation by the majority choice bargaining representative but safeguards the right of individual employees to present grievances to an employer. Specifies unfair labor practices for employers and employees. Prohibits strikes; permits voluntary payroll deduction of membership dues; and specifies that grievances, other than disputes concerning unfair labor practices, be handled through advisory arbitration, which may be invoked only with the consent of the public employees involved.

(Repeals secs. 4022 and 4120 and adds Ch. 7 to Title V, Government Code of Guam.)

P.L. 9-254, Chs. 1 and 3 (*Approved 9/5/68*). Enacts the Guam Employment Relations Act. Grants workers in the private sector the right to organize and bargain collectively, or to refrain from such activities with the proviso that employees may be required to join a union under an all-union agreement. Provides for exclusive representation by the majority-choice bargaining representative, but safeguards the right of individual employees or minority group representatives to present grievances to an employer. Specifies unfair labor practices for employers and employees. Exempts employees of an employer with less than two employees, domestic service, executives, or supervisors, individuals employed by a parent or spouse, and individuals over whom the National Labor Relations Board exercises jurisdiction.

Creates a five-member Guam Employment Relations Board composed of the Director of the Department of Labor, ex-officio, and two representatives each of labor and management, appointed by the Governor with the advice and consent of the legislature. Gives the Board rulemaking authority and authorizes it to receive complaints of unfair labor practices, hold hearings, and issue court-enforceable orders. Such orders may require the person complained of to cease and desist from the practice, or may suspend rights, immunities, privileges, or remedies afforded him for up to 1 year, and require him to take affirmative action, such as reinstatement of employees. Provides for review of the Board's orders or decisions by an Island Court Judge on petition of an aggrieved party with appeal from his decision to the District Court. Further authorizes the Board to petition any court of the Territory for injunctive relief after a complaint is filed. Requires the Board to maintain a list of labor organizations.

Invalidates contracts under which either party agrees not to belong to a union or an employer organization.

Also enacts an anti-injunction law, patterned after the Federal Norris-La Guardia Act.

Requires that every representative of employees for collective bargaining keep a record of his financial transactions and present to the employee organization an annual detailed written financial report.

(Adds secs. 55000 thru 55010.4 and secs. 55030 thru 55043 to Title LVI, Government Code of Guam.)

P.L. 9-254, Ch. 4 (*Approved 9/5/68*). Prohibits several strike-breaking practices. Makes it unlawful: for a person who is not directly interested in a labor dispute to recruit or supply a replacement for an employee involved in the dispute; for a person

involved in a labor dispute to knowingly employ as such replacement a person who customarily and repeatedly offers himself for employment as such a replacement, or to knowingly employ as a replacement someone recruited or supplied by a person not directly involved in the dispute, or to arrange with another person to recruit or supply a replacement; and for a person who customarily and repeatedly offers himself as a replacement in a labor dispute to take or offer to take the place of an employee involved in a dispute. Also makes it unlawful to recruit or advertise for employees, or refer persons to employment, as a replacement without adequate notice that there is a labor dispute and that the employment offered is as such replacement

While a labor dispute is in active progress, requires any person who advertises for employees to work for him at a shop, plant, or establishment, or seeks them by means of an employment agency, to explicitly mention that there is a dispute; also requires insertion of the name of the person placing such advertisement, or, if he is representing someone else, the name of the person responsible for the advertisement.

(Adds secs. 55050 thru 55052 to Title LVI, Government Code of Guam.)

STATE DEPARTMENT OF LABOR

P.L. 9-238 (*Approved 8/13/68; effective 7/1/68*). Establishes a new integrated Department of Labor administered by a Director appointed by the Governor, replacing the former Department of Labor and Personnel which dealt primarily with civil service matters. Such matters are now in a new Department of Administration.

Among other specified powers and duties, requires the Director of Labor to inquire into the causes of injuries arising out of and in the course of employment, to advance measures for the prevention of such injuries and for improvement of sanitary conditions in places of employment, and to promote occupational training for the citizens of Guam.

(Adds Title XLVI and amends various other titles, Government Code of Guam.)

WAGES AND HOURS—ALL WORKERS

P.L. 9-159 (*Approved 3/7/68*). Raises the minimum wage to $1.40 from $1.25 per hour and extends coverage of the law by deleting or modifying certain former exemptions. For example, extends coverage to employees of retail or service establishments employing less than five employees; employees of a nonprofit school; and employees subject to the Fair Labor Standards Act.

In addition, makes other conforming and clarifying changes and improves the overall design of the law.

(Amends various sections, Title XLII, Government Code of Guam.)

WORKMEN'S COMPENSATION

P.L. 9-144 (*Approved 2/15/68; effective 7/1/68*). Raises benefits for all types of disability to a weekly maximum of $56 from $35 and to a weekly minimum of $28 from $12; increases the amount of funeral benefits to $600 from $400; raises the maximum wage base for computing death benefits to $84 from $52.50, thereby increasing maximum death benefits per week to $56 from $35, and increases minimum wage base for computing death benefits to $36 from $18, thereby increasing minimum death benefits per week to $24 from $12; also raises maximum total compensation for all types of disability to $20,000 from $10,000.

(Amends various sections, Title XXXIII, Government Code of Guam.)

HAWAII

[Regular Session: 2/21/68–3/29/68]

APPRENTICESHIP

S. Con. Res. 31 (*Adopted 3/28/68*). Requests the legislature to appoint a committee representing governmental agencies, unions, and employers to study the apprenticeship and other related training programs and report its findings and recommendations to the next legislature.

INDUSTRIAL RELATIONS

S. Res. 41 (*Adopted 3/21/68*). Requests the Governor to appoint a Study Committee on Public Employment Relations, composed of representatives from all levels of government employees, public and private employee organizations, academic experts in labor relations, and the general public. Directs the Committee to investigate the legislative aspects of a labor relations act for public employees, including various forms of arbitration systems, a goverment office of collective bargaining, and conciliation and mediation offices, and submit proposals for legislative and administrative action to the 1969 legislative session.

TRAINING AND RETRAINING

S. Con. Res. 31. See **Apprenticeship.**

WORKMEN'S COMPENSATION

Act 57 (*Approved and effective 5 9 68*). Extends coverage of the workmen's compensation act to members of public boards.

(Amends Pt. V of Ch. 97, Rev. Laws of Hawaii, 1955.)

S. Res. 93 (*Adopted 3 28 68*). Requests the Department of Labor and Industrial Relations, in cooperation with the Labor and Industrial Relations Appeal Board, to investigate whether injured workmen are being deprived of their free choice of doctors, as guaranteed by the workmen's compensation law, and authorizes the Department to take necessary steps to stop such abuses. Further requests the Department to report its findings and recommendations to the Fifth Legislature 20 days before the convening of the 1969 General Session.

INDIANA

[1967 Session]

OCCUPATIONAL SAFETY AND HEALTH

Ch. 21 (*Approved 3 1 67*). Requires all students and teachers in public schools to wear industrial quality eye-protective devices while participating in vocational or industrial arts courses or laboratories involving the use of specified hazardous substances, equipment, or processes.

KANSAS

[Regular Session: 1/9/68–3/8/68]

CHILD LABOR AND SCHOOL ATTENDANCE

H. Res. 1024. See **Occupational Safety and Health.**

OCCUPATIONAL SAFETY AND HEALTH

H. Res. 1024 (*Adopted 3 7 68*). Requests the U.S. Secretary of Labor to reconsider the recently issued regulations which prohibit employment of children under 16 in specified hazardous agricultural occupations, particularly the prohibition applicable to tractor operation.

Ch. 6. See **Workmen's Compensation.**

Ch. 395. See **State Department of Labor.**

STATE DEPARTMENT OF LABOR

Ch. 395 (*Approved 3 20 68; effective 7 1 68*). Establishes in the State Department of Labor a mined-land conservation and reclamation board, with powers to adopt and promulgate rules and regulations, to conduct investigations and inspections, to

examine and pass upon all plans and specifications, to issue and suspend permits, and to conduct hearings and appeals.

TRAINING AND RETRAINING

Ch. 51 (*Approved 3/10/68; effective 7/1/68*). Extends the scope of the Governor's committee on the employment of the handicapped to cover also the mentally handicapped, in addition to the physically handicapped.

(Amends K.S.A. secs. 44-413, 44-414, 44-415, 44-416, 44-417.)

WAGES—WAGE GARNISHMENT

Ch. 404 (*Approved 3/20/68; effective 7/1/68*). Increases to $10 from $4 the amount that can be garnished from monthly earnings for court costs in a garnishment proceeding.

(Amends K.S.A. sec. 60-2310.)

WORKMEN'S COMPENSATION

Ch. 6 (*Approved 1/24/68; effective 7/1/68*). Provides that no action to recover for an ionizing radiation injury may be brought more than 2 years after the person had or ought to have had knowledge of the injury, but in no event more than 30 years from the date of the last occurrence to which the injury is attributed; and that no action shall be barred for latent ionizing radiation by recovery in an earlier proceeding, unless the person was awarded damages for the latent injury or knew or should have known of the latent damage.

(Amends K.S.A. sec. 60-513.)

Ch. 102 (*Approved 3/12/68; effective 7/1/68*). Makes the workmen's compensation law applicable to employers of three workers or more, rather than five or more. Raises medical benefits to $8,500 from $7,500. Extends coverage to executive officers of corporations. Allows the director to authorize lump-sum settlements and lump-sum payments from the second injury fund in case of subsequent injury.

(Amends K.S.A. secs. 44-507, 44-528, 44-569, 44-573 and K.S.A. 1967 Supp. secs. 44-508, and 44-510.)

KENTUCKY

[Regular Session: 1/2/68–3/15/68]

WAGES—PREVAILING WAGES

Ch. 33 (*Approved 3/12/68; effective 6/13/68*). Amends the definition of prevailing wage rate to include an additional amount equivalent to prevailing fringe benefits.

(Amends sec. 337.505, KRS.)

DEBT POOLING

Act 636 (*Approved 7/19/68; effective 7/31/68*). With the objective of prohibiting the commercial practice of debt pooling, limits fees for commercial debt proration to 6 percent of the monies distributed to legal creditors plus a maximum additional fee of $15; requires a $10,000 bond and the prior submission of specified information.

OCCUPATIONAL SAFETY AND HEALTH

Act 606 (*Approved 7/20/68; effective 7/31/68*). Broadens the authority of the State Board of Nuclear Energy to include control, use, and regulation of any source of radiation instead of only ionizing radiation, as before.

(Amends secs. 1051, 1052, 1053, 1056, 1057, 1059, 1060, 1062, 1063, 1069, and 1070, Title 51, LSA - R.S.)

STATE DEPARTMENT OF LABOR

Act 43 (*Approved 7/3/68; effective 7/31/68*). Creates a Women's Division within the Department of Labor to, among other things, promote the welfare of wage earning women, improve their working conditions, and advance their opportunities for employment. Establishes a 20-member Commission on the Status of Women, administratively attached to the Women's Division. Requires the Commission to conduct studies and develop recommendations dealing with, among others, employment, wages, hours, working conditions, and services and education of women.

WAGE PAYMENT AND WAGE COLLECTION

Act 253 (*Approved 7/19/68; effective 7/31/68*). Permits the State or any of its political subdivisions to pay to the surviving spouse any wages, sick leave, annual leave, or other benefits due a deceased employee not in excess of $1,000 without letters of administration.

(Adds sec. 1515 to Title 9, LSA - R.S.)

WAGES—PREVAILING WAGES

Act 65 (*Approved 7/3/68; effective 7/31/68*). A prevailing wage act applicable to contracts in excess of $25,000 for public works. Requires payment of prevailing "fringe benefits," as well

as wages. Requires the Commissioner of Labor to determine prevailing wage rates and sets criteria for making such a determination within 30 days before contract specifications are publicized. Requires contract be signed within 90 days thereafter or another determination must be made. Authorizes Commissioner to adopt rules and regulations, conduct investigations, and inspect contractor's books and records.

Provides for a 1-year blacklist penalty which may be appealed to the appellate courts. Specifies that, even though a violation has occurred, the Governor in his discretion may at any time direct the Commissioner to remove any name from such list.

WORKMEN'S COMPENSATION

Act 25 (*Approved 12/27/68; effective 1/6/69*). Raises maximum weekly benefits for death and all types of disability to $45 from $35, and provides for increasing such benefits to $49 after December 31, 1969. Raises the minimum weekly benefits for death and disability to $12.50 from $10.00. Increases to 500 weeks from 400 the period during which benefits are paid for permanent total disability, death, or for the loss of both hands, or both feet, or both eyes, or one hand and one foot.

Newly provides benefits for inguinal hernia. Specifies that if employee refuses to submit to recommended treatment, employer's liability is limited to providing first aid, medical treatment, and necessary appliances up to a total cost of $500, and to paying compensation for a maximum period of 26 weeks. Redefines "wages" as the average weekly wage at the time of the accident and specifies how it shall be determined. (Formerly, "wages" meant the daily rate of pay under the contract of hire in force at the time of the accident.)

(Amends secs. 1021, 1202, 1221, and 1231, Title 23, LSA - R.S.)

Act 51 (*Law without approval, 12/27/68*). Extends coverage of the workmen's compensation law to members of the National Guard who are injured or killed while on active duty during a state of emergency. Provides that in computing the weekly benefits, either the weekly wages from the principal civilian employment or weekly military wages, whichever is greater, shall be used.

(Adds sec. 1211 to Title 23, LSA - R.S.)

Act 97 (*Approved 6/29/68; effective 7/31/68*). Provides that certain police department employees drawing full pay during sick leave shall have such pay reduced by the amount of workmen's compensation benefits received. Specifies the procedure for recovery of any amount paid as sick leave when a third party is liable.

Act 103 (*Approved 7/12/68; effective 7/31/68*). Increases maximum payments to $12,500 from $2,500 for medical, surgical, and hospital services, medicines or any legal nonmedical treatment; newly provides an additional $12,500 may be ordered by a court of competent jurisdiction if the employee would be subjected to undue and unusual hardship.

Requires employer to furnish the necessary cost of repair to or replacement of any prosthetic devices damaged or destroyed by an accident arising in the course of employment.

(Amends sec. 1203, Title 23, LSA - R.S.)

Act 337 (*Approved 7/20/68; effective 7/31/68*). Classifies as a compensable occupational disease any disease or infirmity of the heart or lungs which develops during employment in the State classified fire service; if the disease or infirmity occurs at any time after the first 5 years of employment, it is presumed to have developed during employment.

MAINE

[Second Special Session of 1967 Legislature: 1/9/68–1/26/68]

INDUSTRIAL RELATIONS

Ch. 539 (*Approved 1/26/68; effective 4/26/68*). Creates a three-member State Employees Appeal Board to mediate all grievances and disputes between individual State employees and their respective State agencies, except those relating to classification and compensation. Establishes procedures for settling of grievances and disputes and makes decisions of the Board final and binding.

Provides that the right of the appointing authority to dismiss, suspend, or otherwise discipline an employee for cause is subject to the right to appeal and arbitration of grievances under the newly established procedures.

(Adds secs. 751 to 753 incl., to Ch. 63, Title 5; amends sec. 678.)

S. B. 808-XX (*Adopted 1/25/68*). Directs the Legislative Research Committee to study two bills, one to establish a Municipal Public Employees Labor Relations Law and the other to provide for dealings between local education boards and associations representing teachers to determine whether the best interests of the State would be served by the enactment of such legislation, and to report its findings and recommendations to the next session of the legislature.

AGE DISCRIMINATION

Ch. 472 (*Approved 5/7/68; effective 7/1/68*). Prohibits discrimination in employment based solely on age. Makes it unlawful for an employer to refuse to hire or to discharge, or for a labor organization to exclude from or deny equal membership rights, or for a private employment agency to fail or refuse to refer for employment any person at least 45 but less than 65 years of age.

Requires the Department of Labor and Industry to handle complaints of discrimination, to attempt to eliminate discrimination by conciliation and persuasion; provides for issuance of cease-and-desist orders, after hearing, where there is a finding for the complainant.

Requires restoration of the employment or income opportunity where there is a finding for the complainant, unless the individual aggrieved waives this protection in writing.

Authorizes the Commissioner of Labor and Industry to issue rules and regulations for the administration of the act.

(Repeals secs. 78 through 80, Art. 100, and enacts secs. 78 through 80F, Ann. Code, 1964 Repl. Vol.)

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 105 (*Approved and effective 4/10/68*) and

Ch. 153 (*Approved 4/10/68; effective 7/1/68*). Permits minors under 16 to work until 9 p.m., rather than 7 p.m., from June 1 through Labor Day.

Exempts from all provisions of the child labor law delivery of newspapers to the consumer, children employed by their parents in occupations other than manufacturing or mining or hazardous occupations, and tasks performed by volunteers in hospitals outside school hours with parental consent.

Sets a minimum age of 16, rather than 16 for boys and 18 for girls, in a number of hazardous occupations, such as adjusting belts to machinery, on scaffolding or construction work, in any brick or lumber yard, and in any capacity where dangerous or poisonous acids are used. Deletes the minimum age of 16 for employment in a restaurant from the hazardous occupations provisions.

Simplifies the procedure for issuance of employment certificates by permitting the Commissioner to delegate his responsibility for their issuance in Baltimore City, by making the prerequisite requirement of a physician's certificate discretionary instead of mandatory, and by permitting any licensed physician, rather

than only one appointed by the Commissioner, to make physical examinations.

(Amends secs. 4, 10, 16b, 20 (a), 23 (d), 24 (c), and 24 (d), Art 100, Ann. Code, 1964 Repl. Vol. and 1967 Supp.)

DEBT POOLING

Ch. 658 (*Approved 5/7/68; effective 1/1/69*). Prohibits the commercial practice of debt adjusting (also known as debt pooling) with certain exemptions.

(Adds sec. 79A to Art 27, Ann. Code, 1967 Repl. Vol.)

DISCRIMINATION IN EMPLOYMENT

Ch. 472. See **Age Discrimination.**

INDUSTRIAL RELATIONS

Ch. 483 (*Approved 5/7/68; effective 6/1/68*). Gives public school employees the right to form and participate in the activities of employee organizations for the purpose of being represented on matters relating to salaries, wages, hours, and other working conditions. Requires each county by June 15, 1968, and Baltimore City by June 15, 1969, to designate organizations which shall be the exclusive representative of all public school employees in a special unit in such county or in Baltimore.

Requires the State Board of Education to adopt rules and regulations for the conduct of elections and certification of results. Establishes procedures to be followed in settling disputes.

Prohibits an employee organization from calling or directing a strike. For violation, provides for revocation of organization's designation as exclusive representative for a 2-year period thereafter, and prohibits the school employer from making payroll deductions for dues for a period of 1 year thereafter.

(Repeals and reenacts sec. 175, Art 77, Ann. Code, 1965 Repl. Vol.)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 99 (*Approved 4/10/68; effective 7/1/68*). Replaces the Division of Industrial Safety with a Division of Safety Engineering and Education. Requires it to investigate the causes of industrial and occupational accidents and to formulate programs to reduce such accidents. Retains and expands the Division of Safety Inspection which has enforcement responsibility.

(Amends sec. 30, Art. 89, Ann. Code, 1964 Repl. Vol. and 1967 Supp.)

Ch. 100 (*Approved 4/10/68; effective 7/1/68*). Authorizes the Commissioner of Labor and Industry, upon request of any com-

pany licensed to insure and insuring elevators, to deputize qualified inspectors of such companies as special elevator inspectors. Stipulates that such special inspectors shall not receive a salary or expense money from the State.

(Amends sec. 30, Art. 80, Ann. Code, 1967 Supp.)

Ch. 506 (*Approved 5/7/68; effective 7/1/68*). Amends a 1963 law which provided for Maryland membership in the Southern Interstate Nuclear Compact to make Missouri the 17th State eligible for membership.

(Amends sec. 354(a), Art. 41, Ann. Code, 1965 Repl. Vol.)

Ch. 529 (*Approved 5/7/68; effective 7/1/68*). Authorizes the Commissioner of Labor and Industry to prohibit the use of any machinery or mechanical equipment found to be in violation of safety requirements until the situation has been corrected.

(Amends sec. 39, Art. 89, Ann. Code, 1964 Repl. Vol.)

Ch. 530 (*Approved 5/7/68; effective 7/1/68*). Requires the employer to provide a sanitary place of employment in addition to a safe place.

Changes the name of the Occupational Safety Advisory Board to the Occupational Health and Safety Advisory Board and increases the membership to seven members from five. Provides that two members shall represent the health professions. Requires the Board to propose to the Commissioner rules and regulations for the prevention of occupational diseases in addition to the present requirement for the prevention of accidents.

(Amends secs. 29, 31, and 32, Art. 89, Ann. Code, 1964 Repl. Vol.)

Ch. 648 (*Approved 5/7/68; effective 7/1/68*). Requires all doors of at least 80 percent transparent glass in mercantile establishments and in public and commercial buildings and structures to be marked in a manner to warn persons using them that they are glass doors. Authorizes the Department of Health to make rules as it deems necessary.

(Adds sec. 54A to Art. 43, Ann. Code, 1965 Repl. Vol.)

Ch. 759 (*Approved 5/7/68; effective 7/1/68*). Establishes safety precautions for work on or near high voltage lines. Exempts employees of the Public Service Commission and electrical power plants operated by private companies which generate electricity for their own use. Authorizes the Department of Labor and Industry to enforce the act and to issue rules and regulations.

(Adds secs. 58 through 63 to Article 89, Ann. Code, 1957.)

PRIVATE EMPLOYMENT AGENCIES

S. J. Res. 63 (*Approved 4/10/68*). Requests the Governor to appoint a commission to study the private employment agency

law to determine the need for revision. Requests the commission to make a report of its findings and recommendations to the Governor by September 1, 1968.

Ch. 472. See **Age Discrimination.**

STATE DEPARTMENT OF LABOR

Ch. 99. See **Occupational Safety and Health.**

Ch. 100. See **Occupational Safety and Health.**

Ch. 529. See **Occupational Safety and Health.**

Ch. 530. See **Occupational Safety and Health.**

TIME OFF FOR VOTING

Ch. 392 (*Approved 1967*). Makes the requirement for time off to vote applicable to every election, rather than specified elections. Requires the employer to grant any employee who is a registered voter at least 2 hours' absence from work with pay. Requires the employee to furnish proof that he has voted.

Ch. 614 (*Approved 5/7/68; effective 7/1/68*). Requires the employer to grant every employee up to 2 hours' absence from work if the employee does not have 2 hours of continuous off duty during the time the polls are open. Retains provision for pay during such absence.

(Amends secs. 24-26a, Art 33, Ann. Code, 1967 Supp.)

TRAINING AND RETRAINING

S. J. Res. 71 (*Approved 4/10/68*). Calls for the formulation and implementation of an effective industrial training program and requests study by the Legislative Council's Committee on Taxation and Fiscal Matters.

WAGES AND HOURS—ALL WORKERS

Ch. 509 (*Approved 5/7/68; effective 7/1/68*). Exempts from the minimum wage law a student in a special education program for the mentally, emotionally, or physically handicapped under the public school system and who is employed as part of his training.

(Amends sec. 82(e), Art 100, Ann. Code, 1964 Repl. Vol. and 1967 Supp.)

WORKMEN'S COMPENSATION

Ch. 428 and

Ch. 431 (*Approved 4/10/68; effective 7/1/68*). Increases maximum weekly benefits for death and permanent total disability to $70 from $55, and the weekly minimum to $25 from $18.

(Amends sec. 36(8) (a) and (b), Art 101, Ann. Code, 1964 Repl. Vol. and 1967 Supp.)

Ch. 429 (*Approved 4/10/68; effective 7/1/68*). Increases maximum weekly benefits for temporary partial disability to $40 from $25.

(Amends sec. 36(6), Art 101, Ann. Code, 1964 Repl. Vol.)

Ch. 430 (*Approved 4/10/68; effective 7/1/68*). Increases burial allowance to $750 from $500.

(Amends sec. 37(d), Art 101, Ann. Code, 1964 Repl. Vol. and 1967 Supp.)

Ch. 432 (*Approved 4/10/68; effective 7/1/68*). Makes the provision for double compensation in case of injury or death of an illegally employed minor discretionary with the Workmen's Compensation Commission. Formerly doubling of benefits was mandatory.

(Amends sec. 47, Art. 101, Ann. Code, 1964, Repl. Vol.)

Ch. 742 (*Approved 5/7/68; effective 7/1/68*). Permits working partners of a partnership or a sole proprietor to elect coverage of the workmen's compensation law.

(Amend sec. 67(3), Art 101, Ann. Code, 1964 Repl. Vol.)

Ch. 743 (*Approved 5/7/68; effective 7/1/68*). Provides that a worker injured on or after July 1, 1968 shall receive a maximum of $55 a week for the first 42 days of temporary total disability, and thereafter 66⅔ percent of the State's average weekly wage as determined by the Department of Employment Security. Retains the maximum period of 208 weeks. Increases the minimum weekly benefit to $25 from $18.

(Amends sec. 36(2), Art 101, Ann. Code, 1964 Repl. Vol. and 1967 Supp.)

Ch. 744 (*Approved 5/7/68; effective 7/1/68*). Establishes a vocational rehabilitation training program for employees injured on or after July 1, 1968. Provides that the injured worker shall receive temporary total benefits while undergoing rehabilitation for up to 24 months. Sets a maximum of $40 a week for maintenance, in addition to temporary total benefits, if the injured worker is required to live away from home during rehabilitation.

Provides that if the worker refuses rehabilitation, without good cause, he shall forfeit benefits during the period of such refusal.

(Adds sec. 36(g) to Art 101, Ann. Code, 1964 Repl. Vol. and 1967 Supp.)

MASSACHUSETTS

[Regular Session: 1/3/68–7/20/68]

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 323. See **Hours of Work.**

Ch. 22 (*Approved 2/26/68*). Prohibits the employment of a minor under 18 as an investigator or guard by a private detective agency or as a guard by a watch, guard, or patrol agency.

(Amends A.L.M., Ch. 147, sec. 28.)

HOURS OF WORK

Ch. 323 (*Approved 5/24/68; effective 6/5/68*). Permits females 18 (formerly 21) and over to work in manufacturing and mercantile establishments until midnight or change shifts at that hour instead of 11 p.m., as formerly.

Lowers to 18 from 21 the age at which minors may be employed until 11 p.m. as operators in regular service telephone exchanges or telegraph offices.

(Amends A.L.M., Ch. 149, secs. 59, 66, and 100; and Ch. 151A, sec. 25.)

INDUSTRIAL RELATIONS

Ch. 195 (*Approved 4/25/68*). Requires a registered welfare trust fund to remain subject to the law regulating such funds even though the number of employee participants decreases to fewer than 25.

(Amends A.L.M., Ch. 151D, sec. 2.)

Ch. 231 (*Approved 5/6/68*). Makes mandatory the existing authority of housing authorities to bargain collectively and sign agreements with their employees.

(Amends A.L.M., Ch. 121, sec. 26T.)

Ch. 513 (*Approved 7/8/68*). Extends the provisions of the labor relations act to nonprofessional employees in public or private health facilities. Excludes members of religious orders.

(Amends A.L.M., Ch. 150A, secs. 1, 2, 4C, and 9A.)

H. 4884 (*Adopted 7/11/68*). Directs the Legislative Research Council to make a study relative to the effectiveness of the Massachusetts municipal employees collective bargaining law, and of ways and means of resolving disputes thereunder without resort to strikes or boycotts.

OCCUPATIONAL SAFETY AND HEALTH

Ch. 158 (*Approved 4/12/68*). Requires all workrooms actually in use in every manufacturing, mechanical, or mercantile establishment to be properly heated from October 15th to April 15th. Previously, the requirement was for heat during the winter months.

(Amends A.L.M., Ch. 149, sec. 113.)

Ch. 331 (*Approved 5/24/68*). Sets a 40-pound maximum on permissible weight lifting for females and relaxes the penalty

for violation of another provision which requires pulleys or casters on weights of 75 pounds or more moved by females in manufacturing or mechanical establishments.

(Adds sec. 53A to Ch. 149, A.L.M.)

Ch. 560 (*Approved 7/11/68*). Authorizes the Department of Public Health to protect the public from the hazards of laser rays by making rules and regulations for the use of laser equipment.

(Adds sec. 5I to Ch. 111, A.L.M.)

PRIVATE EMPLOYMENT AGENCIES

Ch. 412 (*Approved 6/18/68*). Except for the placement of domestic employees, exempts from the law regulating private employment agencies a firm whose fees are paid solely by the employer, rather than limiting such exemption solely to executive recruiting firms.

(Amends A.L.M., Ch. 140, secs. 46A and 46B.)

WAGES—PREVAILING WAGES

Ch. 537 (*Approved 7/9/68*). Amends the prevailing wage law to require payment of wage rates determined by the Commissioner for moving office furniture and fixtures under contracts entered into by the State or its political subdivisions. Specifies that such wage rates shall include payments to health and welfare plans, and if no such plan is in effect between employers and employees, the amount of such payments shall be paid directly to employees.

(Adds sec. 27G to Ch. 149, A.L.M.)

WAGES AND HOURS—ALL WORKERS

Res. Ch. 55 (*Approved 5/24/68*). Requests the Special Commission which is studying the minimum wage law to include in its study the proposals (1) to make the overtime provisions applicable to some groups of workers now exempted therefrom, and (2) to require payment of the statutory minimum rate to learners and apprentices in the retail and mercantile fields, and in the laundry industry.

WORKMEN'S COMPENSATION

Ch. 21 (*Approved 2/26/68*). Permits the use of medical reports of a deceased physician who attended the injured worker as admissible evidence in compensation claims.

(Adds sec. 7D to Ch. 152, A.L.M.)

Ch. 468 (*Approved and effective 6/29/68*). Permits a 10 percent increase in a compensation award, instead of 5 percent, in cases where compensation payment is unreasonably delayed.

(Adds sec. 7E to Ch. 152, A.L.M.)

Res. Ch. 50 (*Approved 5/24/68*)

Res. Ch. 76 (*Approved 6/11/68*)

Res. Ch. 99 (*Approved 6/29/68*). Continues the Special Commission established in 1967 to study the workmen's compensation system and increases the scope of the study to include, among other items, coverage of elected city officials; a more equitable method of determining benefits; establishing the maximum benefits at two-thirds of wages; providing reemployment rights for injured workmen; and providing benefits for employees exposed to beryllium compounds.

MISCELLANEOUS

Res. Ch. 87 (*Approved 6/18/68*). Establishes a special commission to study the problems of the unemployed as related to substandard housing areas and areas of chronic unemployment.

Res. Ch. 105 (*Approved 7/2/68*). Establishes an 11-member special commission to study and evaluate the feasibility of a guaranteed annual income program.

Res. Ch. 108 (*Approved 7/3/68*). Establishes a special commission to investigate and study the problems of unemployment in low-income areas, and methods of providing employment opportunities to residents of these areas.

MICHIGAN

[Regular Session: 1/10/68–8/16/68]

CHILD LABOR AND SCHOOL ATTENDANCE

Act 59 (*Approved and effective 5/28/68*). Permits issuance of work permits to minors under 14 as golf caddies. Previously no work permits could be issued to any minor under 14.

(Amends M.S.A. 17.703.)

Act 323 (*Approved and effective 7/3/68*). Permits minors 16 and 17 years of age to work until 10:30 p.m., instead of 10 p.m., and those not regularly attending school to work until 11:30 p.m., instead of 11 p.m.

(Amends M.S.A. 17.718.)

INDUSTRIAL RELATIONS

S. Res. 225 (*Adopted 6/26/68*). Authorizes the Senate Standing Committee on Labor to function during the interim between the 1968 and 1969 regular sessions, to investigate public employee labor disputes in the State and the methods used by governmental units to handle such activities.

STATE DEPARTMENT OF LABOR

Act 196. See **Workmen's Compensation.**

WORKMEN'S COMPENSATION

S. Res. 175 (*Adopted 6/5/68*). Creates a special Senate Committee to investigate the differential rates of workmen's compensation for Michigan loggers and that of surrounding States and to report its findings and recommendations to the 1969 legislature.

Act 194 (*Approved and effective 6/22/68*). Amends the Public Safety Act, creating the Michigan State police, to provide that all officers of the police reserve force who are called to active duty must be covered by workmen's compensation.

(Adds subsec. (b) to sec. 4.436, M.S.A.)

Act 196 (*Approved and effective 6/22/68*). Changes the name of the administrative agency to Bureau of Workmen's Compensation from Workmen's Compensation Department.

(Amends M.S.A. 17.6 (31).)

Act 227 (*Approved 6/25/68; effective 7/1/68*). Combines administration of the Silicosis and Dust Disease Fund and the Second Injury Fund. Directs the trustees to reimburse the liable employer for that portion of compensation paid in excess of $12,500 which the silicosis or dust disease disability bears to the total disability.

(Adds part 8 and amends various sections of the Workmen's Compensation Law.)

MISSISSIPPI

[Regular Session: 1/2/68–8/9/68]

CHILD LABOR AND SCHOOL ATTENDANCE

H. 827. See **Workmen's Compensation.**

TRAINING AND RETRAINING

H. 204 (*Approved and effective 3/27/68*). Authorizes the board of supervisors and governing authorities of municipalities to support sheltered workshops to train, rehabilitate, retrain, and develop more productive lives for handicapped persons within the counties.

WORKMEN'S COMPENSATION

H. 671 (*Approved and effective 8/9/68*). Extends coverage of the workmen's compensation law to occupational diseases. Formerly the law covered only disability or death due to exposure to ionizing radiation.

Increases maximum weekly benefits for all types of disability

and death to $40 from $35, and the aggregate maximum to $15,000 from $12,500.

Provides that apportionment in second injury cases shall not be applied until the claimant has reached maximum medical recovery, as determined by the attorney-referee; thereafter benefits are reduced by that portion which the preexisting physical handicap bears to the results of both injuries.

(Amends secs. 6998-01, 6998-02, 6998-04, 6998-07, 6998-09, 6998-11, 6998-13, Miss. Code of 1942.)

H. 827 (*Approved and effective 7/19/68*). Exempts from the double compensation requirement for death and injury of illegally employed minors under 18 any student 14 years of age and over enrolled in a secondary school or college and employed, with parental consent, between regular terms or semesters or in on-the-job training as a part of a regular program of education in a secondary school.

(Amends sec. 6998-54, Miss. Code of 1942.)

MISCELLANEOUS

S. 1987 (*Approved and effective 7/30/68*). Requires licensing of polygraph examiners (lie-detector operators) and trainees, and sets minimum qualifications. Gives administrative responsibility to the Board of Polygraph Examiners.

NEW JERSEY

[Regular Session: 1/9/68–1/14/69]

CHILD LABOR AND SCHOOL ATTENDANCE

A. 94 (*Approved and effective 6/13/68*). Permits minors between 16 and 18 years of age who are regularly attending school to work in any restaurant until midnight during school vacations and on days which do not precede a regularly scheduled schoolday (formerly 10 p.m. for girls, 11 p.m. for boys). Requires that at least the minimum wage for restaurant occupations be paid to such minors. Prohibits any minor so employed from engaging in the sale or serving of alcoholic beverages, or the sale of tobacco products or photographs, or in any dancing or theatrical exhibition or performance.

(Amends NJSA, Art. 2, secs. 34:2-21.1, 21.3, and 21.17.)

A. J. Res. 1 (*Approved and effective 9/4/68*). Establishes a commission to study the State child labor laws as related to school laws and school and vocational training programs and to report its findings and recommendations to the Governor and the legislature.

INDUSTRIAL RELATIONS

Ch. 303 (*Vetoed; passed over veto 9/13/68 and effective 7/1/68*). Grants public employees (including, among others, employees of the State, counties, municipalities, and school districts) the right to join or not to join employee organizations. Authorizes public employers to grant recognition to such organizations and negotiate with their representatives on terms and conditions of employment. Prohibits policemen from joining an employee organization that admits employees other than policemen to membership.

Creates a Division of Public Employment Relations and establishes within it the New Jersey Public Employment Relations Commission with functions and powers in the public sector similar to those of the State Board of Mediation in the private sector. Establishes a Division of Private Employment Dispute Settlement to assist the State Board of Mediation in the resolution of disputes in private employment. Reiterates the right of private employees to strike.

Requires the inclusion of grievance procedures in any collective bargaining agreement between a public employer and its employees. Permits the inclusion of binding arbitration in any grievance procedure.

Requires the Commission to maintain a current file of contracts negotiated in public employment. Also requires the Commission in conjunction with the State University to, among other things, develop and maintain a program for the guidance of public employees in employee-management relations, provide technical advice and develop programs for training management personnel in principles and procedures of consultation, negotiation, and the settlement of disputes in the public sector.

(Amends NJSA 34:13A-1,2,3,6,8, and 11; and adds new sections.)

TRAINING AND RETRAINING

Ch. 137 (*Approved and effective 7/9/68*). Enacts the New Jersey State Business Alliance for Training and Employment Law. Authorizes the Commissioner of Labor and Industry to enter into agreements with private employers for the purpose of providing training and employment for hard-core unemployed residents. Requires each such agreement to provide that individuals enrolled in such programs be paid at least the Federal minimum hourly wage.

VETERANS' REEMPLOYMENT RIGHTS

Ch. 78 (*Approved and effective 6/21/68*). Enacts the New Jersey Soldiers' and Sailors' Civil Relief Act of 1968. Provides,

among other things, reemployment rights to an individual who left permanent private employment in order to perform military service or attend training or service schools conducted by the Armed Forces, if certain requirements are met.

WAGES AND HOURS—ALL WORKERS

Ch. 19 (*Approved and effective 4/22/68*). Exempts from the minimum wage law persons employed as salesmen of motor vehicles.

(Amends NJSA 34:11-56a4.)

Ch. 58 (*Approved and effective 6/11/68*). Exempts from the minimum wage law during June, July, August, and September all summer camps, conferences, and retreats operated by nonprofit organizations; previously, the exemption was applicable only to certain staff in children's camps.

(Amends NJSA, Art. 2, Ch. 11, Title 34.)

MISCELLANEOUS

Ch. 211 (*Approved and effective 7/19/68*). Amends the law authorizing police and firemen to assist in emergencies in municipalities other than their own home base by entitling such persons to all salary, workmen's compensation, and other benefits if they suffer sickness, injury, or death while so employed.

(Amends NJSA, 40:47-12.1.)

NEW MEXICO

[Regular Session: 1/16/68–2/15/68]
[First Special Session: 5/20/68–5/24/68]

INDUSTRIAL RELATIONS

S. Mem. 2-X. (*Adopted 5/22/68*). Requests the State Board of Education and all local school boards to take necessary action against strikes by employees under contract and to prohibit or to cease the practice of making deductions for union or professional dues on behalf of any of its personnel.

WAGES—WAGE GARNISHMENT

Ch. 62 (*Approved 2/26/68; effective 1/1/69*). Makes the provision exempting from garnishment 75 percent of wages or salary due for the last 30 days applicable to all persons; formerly it was applicable only to resident family heads. Makes the 80-percent exemption from garnishment applicable to earnings of less than $200 instead of $100 as before.

(Recodifies the laws relating to justice; among other revisions amends sec. 26-2-27 and renumbers it sec. 36-14-17, N. M. Stat. Ann. 1953.)

NEW YORK

[Regular Session: 1/3/68–5/24/68]

AGRICULTURAL WORKERS

Ch. 652. See **Occupational Safety and Health.**

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 62 (*Approved and effective 3/19/68*). Permits minors under 18 employed in beer-licensed grocery stores to handle beer, as well as deliver it as formerly.

(Amends subdiv. 2-a of sec. 100, Alcoholic Beverage Control Law.)

Ch. 586 (*Approved and effective 6/16/68*). Permits minors 14 years of age and over in cities having a population of 1 million or more (presently New York City) to secure certificates of eligibility in lieu of employment certificates. Such certificates permit minors to perform the same type of work as under an employment certificate; are issued by the school attended by the minor upon submission of proof of age, parent's consent, and a physical fitness certificate from the minor's personal physician or a board of health doctor; must be returned to the minor on completion of job, as required for employment certificates, but do not require a job description or pledge of employment from the prospective employer, as required for employment certificates.

(Adds new paragraphs to sec. 3215, Education Law and secs. 131 and 132, Labor Law.)

Ch. 100 (*Approved 4/2/68; effective 7/1/68*). Lowers to age 6 (from 7) the compulsory starting age for school attendance in districts containing a city of 1 million or more population, retaining the 7-year compulsory starting age in other places.

(Amends subdiv. 1 of sec. 3205, Education Law.)

DISCRIMINATION IN EMPLOYMENT

Ch. 958 (*Approved 6/22/68; effective 7/1/68*). Changes the State Commission for Human Rights to a Division of Human Rights headed by a Commissioner appointed by the Governor and retains the function in the Executive Department. Among other additional powers, gives the Division authority to inquire into incidents of and conditions which may lead to tension and conflict among racial, religious, and nationality groups and to take action,

within the authority granted by law, to alleviate such conditions. Requires the Division, not later than 1 year from date of issuance of a conciliation agreement or an order, to investigate for compliance.

Creates a bi-partisan full-time Human Rights Review Board in the Executive Department consisting of six attorneys admitted to practice before the State Supreme Court. Gives it, among other powers, the power to hear appeals from orders of the Commissioner and to stay such orders pending the outcome of any appeal. Decision of the Board is binding unless rescinded or modified by a Court of competent jurisdiction.

(Amends secs. 169, 290, 292, 293, 295, 297, and 298, Executive Law; and secs. 239-q through 239-t, General Municipal Law.)

EMERGENCY RELAXATIONS

Ch. 115 (*Approved and effective 4/2/68*). Extends until July 1, 1971, the New York State defense emergency act, which authorizes the Industrial Commissioner to grant employers engaged in defense work dispensation from certain legal requirements as to hours and other conditions of work.

(Amends sec. 121, Defense Emergency Act.)

INDUSTRIAL RELATIONS

Ch. 569 (*Approved 6/5/68; effective 6/1/68*). Reorganizes the State Mediation Board. Creates a full-time three-member bipartisan Board, replacing the former Board which consisted of a full-time chairman and six part-time members. Retains the Board in the Department of Labor, transferring to the new Board all the powers and duties of the former Board and, in addition, requires it to appoint factfinding boards in existing, imminent, or threatened labor disputes. Also establishes an eight-member Labor-Management Advisory Panel with equal representation to advise and assist the Board. Designates the Board chairman as chairman of the Panel without voting power.

Repeals Art. 21 and substitutes a new Art. 21, Labor Law.)

Ch. 890 (*Approved 6/22/68; effective 4/1/69*). Extends coverage of the State labor relations act to employees of all nonprofit charitable, educational, and religious organizations. Previously such coverage was limited to employees of nonprofit hospitals or residential care centers and to employees of hotels and restaurants operated by nonprofit organizations. Extends the no-strike provision, presently applicable to employees in nonprofit hospitals or residential care centers, to employees of nonprofit nursing homes, old age homes, homes for dependent children, and facilities for the prevention of cruelty to children or animals.

(Amends subdiv. 11 and 12 and repeals subdiv. 13 and 14 of sec. 701 and amends sec. 715, Labor Law.)

A. Res. 153 (*Adopted 5/15/68*). Creates Joint Legislative Committee on Industrial and Labor Conditions to study and investigate all aspects of the problems involved in the field of industrial and labor conditions, the problems of migrant labor in the State, and the administration of the unemployment insurance law. (Former separate joint legislative committees in each of these areas were not continued.) Requires the Committee to submit its legislative proposals to the Assembly and Senate on or before December 15, 1968 and to report its activities to the legislature on or before March 31, 1969.

MIGRATORY WORKERS

A. Res. 153. See **Industrial Relations.**

OCCUPATIONAL SAFETY AND HEALTH

Ch. 208. See **State Department of Labor.**

Ch. 209. See **Wage Payment and Wage Collection.**

Ch. 652 (*Approved and effective 6/16/68; terminates 3/31/70*). Creates an Advisory Council on Farm Labor Safety to investigate the problems of providing adequate protection to farmworkers against injuries arising out of their employment. Directs the Council to report to the Industrial Commissioner at least once each year by December 1 with a final report and any recommendations by March 31, 1970.

STATE DEPARTMENT OF LABOR

Ch. 208 (*Approved and effective 4/11/68*). Gives the Labor Commissioner specific authority to enter into agreements to receive grants or other assistance from Federal agencies in connection with the occupational safety provisions of any Federal act and the Federal minimum wage law. Such authority already exists for the Federal Farm Labor Contractor Registration Act and the Federal Economic Opportunity Act.

(Amends sec. 21-c, Labor Law.)

Ch. 569. See **Industrial Relations.**

TRAINING AND RETRAINING

Ch. 1054. See **Miscellaneous.**

WAGE PAYMENT AND WAGE COLLECTION

Ch. 209 (*Approved 4/11/68; effective 10/1/68*). Extends liability of corporate officers for violations of the wage payment and general safety and health provisions of the labor law to the

agents of any corporation if agent knowingly violates the law.

(Amends secs. 198-a, 213 and adds subdiv. 8-a to sec. 2, Labor Law.)

WAGES—PREVAILING WAGES

Ch. 305 (*Approved and effective 5/21/68*). Clarifies prevailing wage law with respect to the time in which a suit predicated on an order issued by a fiscal officer must be brought, and extends such time from 3 to 6 months in the case of suits against employers. Establishes a statutory time limit of 3 years within which to file a claim of unpaid wages and supplements for services performed on a public work project.

(Amends subdiv. 8 of sec. 220 and sec. 220-b, Labor Law.)

WAGES AND HOURS—ALL WORKERS

Ch. 889 (*Approved 6/22/68; effective 10/1/68*). Removes from the State minimum wage law the exemption for employees covered by the Federal minimum wage law thereby making fringe provisions, such as overtime, higher part-time rate, call-in pay, and weekly guarantees provided by State minimum wage orders applicable to both large and small establishments.

(Amends subdiv. 5 of sec. 651, Labor Law.)

Ch. 1007 (*Approved 6/22/68; effective 10/1/68*). Prohibits an employer or any other person from accepting any part of gratuities received by an employee, or from retaining any part of a charge intended to be a gratuity for an employee. Exempts the checking of hats and other apparel, practices in connection with banquets and other functions where a fixed percentage of a patron's bill is added for distribution to employees, and the sharing of tips by a waiter with a busboy.

(Adds sec. 196-d to the Labor Law.)

WORKMEN'S COMPENSATION

Ch. 830 (*Approved and effective 6/16/68*). Provides supplemental allowances, effective July 1, 1969, in certain cases of death or permanent total disability resulting from an accidental injury or occupational disease that occurred before July 1, 1960. For individuals or widows with children who are receiving the maximum payment in effect at time of injury, provides a maximum weekly benefit of $50 (maximum in effect on July 1, 1960); for widows without children the supplemental allowance will bring the maximum to $30. Prorated increases are provided for individuals not receiving maximum payments with a minimum supplemental benefit of at least $5. An assessment of $5 million against all carriers to be collected in the fiscal year commencing April 1, 1968 will accumulate moneys in the reopened cases fund for the

payment of such benefits; effective January 1, 1971, the total supplemental benefits paid from such fund as reimbursements in the previous calendar year will be used for purposes of determining the condition of the fund for assessment purposes.

(Amends subdiv. 3 of sec. 25-a, Workmen's Compensation Law.)

Ch. 834 (*Approved 6/16/68; effective 7/1/68*). Increases the maximum weekly benefit to $85 from $60 and the minimum weekly benefit to $30 from $20 for temporary total disability. For other types of disabilities, increases the maximum weekly benefit to $70 from $60 and retains the $20 minimum weekly benefit.

(Amends subdiv. 6 of sec. 15, Workmen's Compensation Law.)

MISCELLANEOUS

Ch. 1054 (*Approved and effective 6/22/68*). Establishes an Urban Job Incentive Board in the State Department of Commerce to administer a job incentive program. Provides for the Board to certify businesses for tax credits if they build or expand job-producing facilities in eligible areas in the State's six largest cities. Among other things, requires such businesses to employ and train residents of these areas on a continuing basis to qualify for tax credits. Requires such training programs to be satisfactory to the Board.

(Amends Commerce Law, Tax Law, and Real Property Tax Law.)

OHIO

[Regular Session: 1/2/67–3/20/68]

CHILD LABOR AND SCHOOL ATTENDANCE

S. 356 (*Approved 3/1/68*). Permits any city board of education, exempted village, or local school district to provide for three trimesters of 80 days each or 4 quarters of 59 days each in a calendar year. Provides that full-time attendance in schools operating on a trimester system means two trimesters, and for those operating on a quarterly basis, 3 quarters.

(Amends secs. 3313.48, 3317.01, 3317.02, 3317.03, and 3321.04; enacts secs. 3313.481 and 3313.482, Rev. Code.)

S. 457 (*Approved 3/5/68*). Exempts boys from the 18-year minimum age for employment in house-to-house selling of periodicals, magazines, and merchandise.

(Amends sec. 4109.12, Rev. Code.)

INDUSTRIAL RELATIONS

S. Res. 128 (*Adopted 2/29/69*). Requests the Legislative Service Commission to undertake a comprehensive study of the exist-

ing authority for public employees and employers to engage in collective bargaining and the need for legislation to provide procedures to insure such bargaining and the settlement of labor disputes. Requires the Commission to report its findings and recommendations to the next General Assembly.

OKLAHOMA

[Regular Session: 1/2/68–5/3/68]

DISCRIMINATION IN EMPLOYMENT

S. 367 (*Approved and effective 5/16/68*). An antidiscrimination act prohibiting discrimination in employment and public accommodations. Prohibits discrimination in employment because of race, color, religion, sex, or national origin by employers of 25 or more employees, employment agencies, labor organizations and joint labor-management committees controlling apprenticeship or other training or retraining programs.

Places administration in the Human Rights Commission created in 1963 and gives it additional powers. Requires the Commission to receive and investigate complaints, hold hearings on such complaints, attempt to eliminate discriminatory practices by conference, conciliation, and persuasion, and if necessary to issue court enforceable cease-and-desist orders which may require affirmative actions. Authorizes the Commission to promote the creation of local commissions on human rights.

OCCUPATIONAL SAFETY AND HEALTH

H. 1020 (*Approved and effective 4/22/68*). Provides that doctors and X-ray technicians, formerly exempt from the radiation control act, shall be subject to rules and regulations to be issued by the Health Department.

(Amends 325, Okl. St. Ann., secs. 1502, 1503, and 1505.)

WAGE PAYMENT AND WAGE COLLECTION

H. 1210 (*Approved and effective 4/30/68*). Permits an employer to withhold from the wages due an employee at time of discharge a portion of the wage equal to the value of money, property, or thing of value entrusted to the employee until the employee has reimbursed and accounted in full to the employer for it. Increases the liability of the employer for liquidated damages to 2 percent each month from 10 percent each year for failure to pay wages when due.

(Amends 40 Okl. St. Ann., sec. 165.3.)

WAGES AND HOURS—ALL WORKERS

H. Res. 613 (*Adopted 3/6/68*). Memorializes the U. S. Congress to exempt persons operating or owning an ambulance service and persons employed in such services from the Federal Fair Labor Standards Act.

WORKMEN'S COMPENSATION

S. Res. 81 (*Adopted 4/1/68*). Directs the President Pro Tempore of the State Senate to appoint a special five-member committee of the Senate to study present laws concerning workmen's compensation as to their effectiveness, reasonableness, equities, premium rates, and how these laws compare with those of sister States. Requires the committee to file a report of its findings and recommendations with the President Pro Tempore upon completion of the study.

S. Res. 103 (*Adopted 4/24/68*). Directs the State Legislative Council to assign to an appropriate standing committee for interim study State laws pertaining to workmen's compensation that require employers to insure risks in a State fund exclusively, in contrast to laws that permit employers a choice of insuring in the State fund, with a private insurance company, or as self-insurers. Requires the committee to submit a report and recommendations as to the type of insurance that would be desirable for Oklahoma to the 1969 legislature.

S. 150 (*Approved and effective 4/9/68*). Requires each company which issues a policy to provide workmen's compensation benefits to file with the Industrial Court a copy of the contract and a notice in such form and detail as the court shall prescribe. Formerly the insured employer was required to file with the court a notice specifying the name of the insurance company and a copy of the contract.

(Amends 85, Okl. St. Ann., sec. 61.)

S. 416 (*Approved and effective 4/29/68*). Makes clear that the liability for charges incurred in rendering necessary medical attention to an injured employee will continue even after the death of the employee.

(Amends 85, Okl. St. Ann., sec. 14.)

S. 487 (*Approved and effective 4/1/68*). Makes compensation payable for any injury resulting in serious and permanent disfigurement rather than, as formerly, for such disfigurement only to the head, face, or hand.

(Amends 85, Okl. St. Ann., sec. 22(3).)

S. 488 (*Approved and effective 4/1/68*). Requires employers to furnish, repair, or replace such prosthetic devices as the court may determine to be necessary for the treatment and rehabilita-

tion of a workman whose injury results in the loss of one or both eyes, teeth, or limbs.

(Adds sec. 15 to 85 Okl. St. Ann.)

S. 563 (*Approved and effective 4/9/68*). Increases maximum weekly benefits for temporary total disability to $45 from $40. Specifically sets maximum weekly benefits of $42.50 for permanent partial disability; retains maximum weekly benefits of $40 for permanent disability.

Limits extraterritorial coverage of the act to employee whose injury is sustained outside the State within 6 months of leaving the State, unless before the end of such period the employer has filed with the Commission a notice extending coverage for a longer period.

(Amends 85, sec. 22(5), Okl. St. Ann., and adds a new section.)

H. Res. 630 (*Adopted 4/1/68*). Directs the State Legislative Council to make, among other things, an in-depth, section-by-section analysis of the workmen's compensation law, giving particular attention to a comparison of total benefits and insurance rates in Oklahoma with those in adjoining States. Requires submission of a final report and a proposed workmen's compensation code in bill form prior to the convening of the 1969 legislature.

MISCELLANEOUS

S. 641 (*Approved and effective 4/23/68*). Makes it unlawful for any person to use force, threats, or intimidation to prevent or attempt to prevent any farmer or rancher from harvesting, handling, or marketing any agricultural product.

(Amends 21, Okl. St. Ann., sec. 837.)

PENNSYLVANIA

[Regular Session: 1/2/68–11/30/68]

CHILD LABOR AND SCHOOL ATTENDANCE

Act 49 (*Approved and effective 4/25/68*). Exempts from all provisions of the child labor law any 17-year-old minor who is either a high school graduate or is found to have attained his academic potential.

(Adds sec. 48.2 to 43 P.S.)

Act 384 (*Approved 12/16/68*). Permits persons 17 years of age, rather than 18, to operate as a paid employee any motor vehicle, except a commercial motor vehicle, any motor vehicle

for hire seating more than 6 passengers, or transporting specified dangerous substances.

(Amends 75 P.S., sec. 625.)

INDUSTRIAL RELATIONS

Act 111 (*Approved and effective 6/24/68*). Gives policemen or firemen employed by the State or a political subdivision the right to bargain collectively with their public employers through labor organizations or other representatives selected by 50 percent or more of such employees. Provides for the settlement of disputes by a three-member board of arbitration whose majority decision shall be final and binding. Specifies that the Board's determination shall constitute a mandate to appropriate public officers as to matters which can be remedied by administrative action and to the lawmaking officials of public bodies as to matters which require legislative action.

TRAINING AND RETRAINING

Act 232 (*Approved and effective 7/31/68*). Enacts the Manpower Employment Assistance and Training Act. Authorizes the Department of Community Affairs to, among other things, initiate, develop, carry out, and administer statewide manpower training programs for the disadvantaged, the unemployed, and underemployed persons. Authorizes the Department to pay training, subsistence, and transportation allowances.

Act 280 (*Approved and effective 7/31/68*). Directs the State Board for Vocational Education to establish rules and regulations and authorize payments for intensive vocational classes to increase skills of persons for whom there are no public training programs available, including part-time workers not otherwise employed and employed persons who are working below their skill levels and capacities. Requires the Board to conduct studies and surveys to determine the need for such programs as the needs of the State's economy and such persons shall require.

(Amends 24 P.S., sec. 2508.3.)

WAGE PAYMENT AND WAGE COLLECTION

H. 2530 (*Approved 7/31/68*). Entitles employees to liquidated damages equal to the amount of wages due when shortages in the wage payments exceed 5 percent of the gross wages payable on any two regularly scheduled paydays in the same calendar quarter. Retains provision limiting such damages to $200 or 6 percent of the claim, whichever is greater.

(Amends 43 P.S., sec. 260.10.)

WAGES—EQUAL PAY

Act 262 (*Approved and effective 7/31/68*). Amends the equal pay law. Provides that an employee shall be paid at the same rate as an employee of the opposite sex for equal work on a job requiring equal skill, effort, responsibility, and performed under similar working conditions. Permits a differential based on a merit or seniority system, or a system that measures earnings by quantity or quality of production, or based on any factor other than sex. Exempts employees subject to the minimum wage provisions of the Federal Fair Labor Standards Act. (Formerly the law required equal pay for work under comparable conditions and requiring comparable skills unless payment was made pursuant to a seniority or merit increase system which did not discriminate on the basis of sex.)

(Amends 43 P.S., secs. 336.2, 336.3, and 336.5.)

WAGES—PREVAILING WAGES

S. 550 (*Approved 12/20/67*). Enacts a public works contractors' bond law, applicable to contracts in excess of $5,000 for any public works, including highway work. Requires the contractor to furnish the awarding body a performance bond and a payment bond equal to the contract amount for the protection of persons performing labor or furnishing materials.

WAGES—PUBLIC WORKS

S. 550. See **Wages—Prevailing Wages**

WORKMEN'S COMPENSATION

Act 362 (*Approved 12/9/68; effective 1/1/69*). Increases benefits payable for disability and death resulting from an occupational disease. Raises maximum weekly benefits for total and permanent partial (schedule) disability to $60 from $50, and the minimum to $35 from $30, and reduces to $22 from $22.50 the amount payable to employees earning less than the minimum. Raises maximum weekly benefits for permanent partial (nonschedule) disability to $45 from $40. Increases maximum weekly benefits for death to $39–$60 from $32.25–$50, according to number of dependents; removes the 350-week limitation on the maximum period for such benefits and a related provision which allowed a widow upon remarriage to receive compensation for one-third of the remaining compensable period.

(Amends 77 P.S., secs. 306 and 307.)

AGRICULTURAL WORKERS

S. 788. See **Wages—Miscellaneous.**

CHILD LABOR AND SCHOOL ATTENDANCE

Act 49. See **Occupational Safety and Health.**

H. 1001. See **Training and Retraining.**

HOURS OF WORK

Act 114 (*Approved and effective 6/21/68*). Makes the women's nightwork provisions prohibiting work between 10 p.m. and 6 a.m. specifically applicable to women hospital employees other than nurses by deleting the former exemption. Makes a clarifying change as to what constitutes nightwork.

(Amends 29 LPRA, sec. 457.)

OCCUPATIONAL SAFETY AND HEALTH

Act 49 (*Approved 5/22/68*). Lowers the weight limit of 150 pounds which human beings may lift, transport, or support on their person. Sets a maximum of 110 pounds for adult males; 44 pounds for adult females and for males between 16 and 18 years of age; and 33 pounds for girls between 16 and 18. Prohibits assigning persons under 16 from lifting, transporting, or supporting loads manually unless the Secretary of Labor so authorizes by regulation. Authorizes the Secretary to alter the maximum limits herein established.

(Amends 29 LPRA, secs. 342 through 345.)

TRAINING AND RETRAINING

Act. 171. See **Miscellaneous.**

H. 1001 (*Approved 6/21/68*). Creates the Right to Employment Administration with an advisory board composed of the Secretaries of Labor, Agriculture, Public Works, and Education, and five additional members, to be appointed by the Governor, representative of labor, the farmer, industry, public employment, and the community at large.

Specifies that the Administration is to develop additional employment, training, and retraining opportunities for workers 16 years of age and over capable of being trained or retrained for work, or who have been unable to secure employment. Provides that earnings, hours, and working conditions in training and re-

training programs are to be in line with those prevailing in the region, and in existing training and retraining programs. Prohibits discrimination because of race, color, sex, birth, social origin, or condition in jobs provided by the Administration.

Repeals the Manpower Development Act of 1960, and transfers the activities and staff of the Occupational Development Administration under that act to the Right to Employment Administration.

WAGES—MISCELLANEOUS

S. 788 (*Approved and effective 5/9/68*). Increases to $1.00 from 50 cents per lunch the amount that an employer may deduct from the wages of an agricultural laborer in the sugar industry.

(Amends 29 LPRA, sec. 175.)

Act 25 (*Approved and effective 4/26/68*). Permits any person who has not been paid for the time allowed for meals to bring suit for such wages, plus an equal amount as liquidated damages and other costs of the proceedings.

(Amends 29 LPRA, sec. 282.)

WAGES AND HOURS—ALL WORKERS

Act 116 (*Approved and effective 6/21/68*). Extends the authority of the minimum wage committees, when fixing or revising minimum wages in an industry, to also provide for the granting of vacations and sick leave in the industry.

(Amends 29 LPRA, secs. 245 and 246.)

WORKMEN'S COMPENSATION

Act 22 (*Approved 4/19/68; effective 7/1/68*). Deletes the provision which required the approval of the Secretary of Labor in settlement of third-party actions by the Administrator of the State Insurance Fund.

(Amends 11 LPRA, sec. 32.)

Act 48 (*Approved and effective 5/22/68*). Liberalizes the provision that authorizes the State Administrator to utilize the facilities of a government hospital by deleting the $2.00 a day limitation to be paid by the State fund for the care and lodging of injured employees.

(Amends 11 LPRA, sec. 5.)

Act 103 (*Approved 6/21/68; effective 7/1/68*). Raises the maximum weekly benefits for temporary total and permanent partial disability to $45 from $35, and the minimum to $10 from $8. Raises the total maximum amount payable for permanent partial disability to $10,000 from $6,000. Newly provides that an

injured person undergoing vocational rehabilitation shall receive weekly compensation up to a maximum of 26 weeks.

Increases monthly maximum benefits for permanent total disability to $125 from $90 and the monthly minimum to $50 from $40, thus raising the weekly maximum to $28.85 from $20.76, and the weekly minimum to $11.54 from $9.23. Provides that the monthly payments are to be paid retroactive to the date of the accident, but limits retroactive period to 12 months.

Raises to $40 from $30 a month the amount allowed for services of an attendant for a totally incapacitated person.

Provides that if employee is granted a lump-sum payment for investment purposes, the total compensation shall not exceed $18,900, and any balance remaining after investment shall be paid in monthly installments of $100, instead of $50 as formerly.

Raises death benefits for a widow with children to a monthly maximum of $125 from $100, and the minimum to $50 from $40, thus raising the weekly maximum to $28.85 from $23.08, and the weekly minimum to $11.54 from $9.23.

Raises maximum funeral benefits in no-dependency death cases to $300 from $200.

Increases to $3,000 from $2,000 the maximum compensation payable in cases of disfigurement to the face, head, or neck, and newly provides a maximum of $1,600 for disfigurement of the hands or arms.

(Amends 11 LPRA, secs. 3 and 20.)

MISCELLANEOUS

Act 171 (*Approved 6/30/68; effective 1/1/69*). Creates the Social Services Department, within the executive department, and makes it responsible for programs directed to the solution of social problems. Among other things, makes the Department responsible for carrying out programs for rehabilitation and training programs and programs to provide jobs for unemployed persons. Transfers to the Department the following programs: Public Welfare, Vocational Rehabilitation, Children's Commission, and Commission on Agriculture.

RHODE ISLAND

[Regular Session: 1/2/68–6/15/68]

DISCRIMINATION IN EMPLOYMENT

Ch. 160 (*Approved and effective 6/11/68*). Redesignates the Commission Against Discrimination as the Rhode Island Commission for Human Rights.

(Amends secs. 28-5-8 and 34-37-3(c), Gen. Laws.)

INDUSTRIAL RELATIONS

Ch. 78 (*Passed over veto and effective 4/25/68*). Provides that a checkoff of union dues requested by a State employee under a union shop agreement shall remain irrevocable for 1 year or until the expiration of the agreement, whichever shall occur first. Makes clear that where a labor union has been certified as the exclusive bargaining agent for an appropriate unit, only dues for that agent shall be deducted from an employee's salary.

(Amends sec. 36-6-17, Gen. Laws.)

Ch. 150 (*Approved and effective 6/4/68*). Amends the Firefighters Arbitration Act to specify that a majority decision of the arbitrators shall be binding upon both parties as to all issues, rather than binding on all issues or matters other than those involving expenditures of money.

(Amends secs. 28-9.1-8 and 28-9.1-9, Gen. Laws.)

Ch. 151 (*Approved and effective 6/4/68*). Amends the Policemen's Arbitration Act to make a majority decision of the arbitrators binding, rather than advisory, upon both parties.

(Amends secs. 28-9.2-8 and 28-9.2-9, Gen. Laws.)

Ch. 281 (*Approved and effective 6/21/68*). Makes it unlawful for an employer to fail to make payments to a health, welfare, or pension plan required by the terms of a collective bargaining agreement. Formerly, the employer's failure was not unlawful unless it was done willfully or with an intent to defraud.

(Amends sec. 28-7.1-1, Gen. Laws.)

WORKMEN'S COMPENSATION

Ch. 92 (*Approved and effective 5/3/68*). Makes clear that partially disabled employees unable to obtain suitable work are entitled to the same joint collection benefit rights now afforded totally disabled workers.

(Amends sec. 28-33-18, Gen. Laws.)

Ch. 131 (*Approved and effective 5/24/68*). Raises medical allowance to $900 from $600 for an injured employee receiving hospital services for not more than 14 days, and to $1,500 from $1,200 for employees receiving hospital services for more than 14 days. Raises maximum amount payable for diathermy and massage treatments to $175 from $125.

(Amends sec. 28-33-5, Gen. Laws.)

Ch. 134 (*Approved and effective 5/24/68*). Adds orthopedic or other medically prescribed appliances and ambulance charges to the list of medical services for which the employer may be liable if such are found necessary for the treatment of an injury,

even though it may result in no incapacity or incapacity of less than 3 days.

(Amends sec. 28-33-9, Gen. Laws.)

Ch. 135 (*Approved and effective 5/24/68*). Requires employer who requests medical examination of injured employee to pay reasonable costs of transportation to and from any physician's office. Formerly, such costs were payable by the employer only for examinations performed by an appointed impartial examiner.

(Amends sec. 28-33-39, Gen. Laws.)

Ch. 166 (*Approved and effective 6/13/68.*) Specifically adds disability connected with or arising from ionizing radiation to the list of compensable occupational diseases.

(Adds subsec. 34 to sec. 28-34-2, Gen. Laws.)

Ch. 167 (*Approved and effective 6/13/68*). Provides that when an employee sustains property damage to eyeglasses, dentures, or an artificial prosthesis arising from or in the course of his employment, regardless of whether or not he suffered injury or loss of time, he may petition the workmen's compensation commission and he shall be paid the reasonable value of, or the reasonable cost of repair of, such property by the employer.

(Adds sec. 28-33-43 to Ch. 28-33, Gen. Laws.)

Ch. 294 (*Approved and effective 6/24/68*). Raises to $5 from $3 the additional weekly amounts allowed payable from the subsequent injury fund for each dependent child if a totally disabled worker has ceased to receive payments under the Temporary Disability Act; and raises to $15 from $12 the total additional weekly amount which may be paid on account of such children.

(Amends sec. 28-37-10, Gen. Laws.)

SOUTH CAROLINA

[Regular Session: 1/9/68–6/28/68]

CHILD LABOR AND SCHOOL ATTENDANCE

H. 2220 (Rat. No. 1393) (*Approved and effective 5/25/68*). Drops the exemption for domestic service and farmwork from the minimum age and nightwork provisions of the child labor law, thereby brings this employment under the 16-year minimum for during-school-hour employment and under the nightwork ban before 5 a.m. and after 8 p.m. for outside-school-hour employment for minors under 16. Permits work until 11 p.m. before non-

schooldays in these occupations and in retail establishments that do not sell alcoholic beverages for on-premise consumption.

(Amends sec. 40-161, S.C. Code 1962, 1968 Supp.)

PRIVATE EMPLOYMENT AGENCIES

H. 2719 (Rat. No. 1453) (*Approved 5/30/68*). Newly enacts a law regulating private employment agencies to be enforced by the Commissioner of Labor. Requires annual licenses and posting of a bond prior to issuance of license. Does not limit placement fees but requires an agency to post its schedule of fees with the Commissioner of Labor and prohibits charging fees higher than those in the schedule. Prohibits certain practices. Exempts temporary help agencies, nonprofit educational, religious, and charitable organizations, and specified professional associations from the definition of employment agency.

Establishes a five-member Employment Agency Board composed of operators and owners of such agencies, to advise and make recommendations to the Commissioner. Authorizes the Commissioner and the Board to issue rules and regulations after public hearing. Permits the Board to conduct research on the operation and conduct of employment agencies and to make recommendations to the Governor or the Commissioner.

WORKMEN'S COMPENSATION

S. 157 (*Approved and effective 5/29/68*). Provides that any impairment or injury to the health of a municipal, county, State, port authority, or fire control district fire department firefighter caused by heart disease or respiratory disease resulting in total or partial disability or death shall be presumed to arise out of or in the course of employment, unless the contrary is shown by competent evidence.

(Adds sec. 72-251.1 to Code of S.C. 1962.)

SOUTH DAKOTA

[Regular Session: 1/2/68–2/10/68]

DISCRIMINATION IN EMPLOYMENT

H. 732 (*Approved 2/14/68; effective 7/1/68*). Establishes a five-member State Commission on Human Relations, to be appointed by the Governor, to hear complaints of discrimination because of race, color, or creed.

INDUSTRIAL RELATIONS

S. Con. Res. 6 (*Adopted 1/31/68*). Directs the State Legislative Research Council to undertake a comprehensive study of the

arbitration of public employees' employment disputes. Requires the Council to report its findings and recommendations to the next legislative session.

WAGES—MISCELLANEOUS

H. 661 (*Approved 2/15/68; effective 7/1/68*). Permits the imposition of double the amount of wages due when an employer's failure to pay such wages is "oppressive, fraudulent, or malicious."

(Adds new section to Ch. 37.19, SDCL.)

WORKMEN'S COMPENSATION

S. 182 (*Approved 2/10/68; effective 7/1/68*). Repeals provision which permitted State employers to expend an additional $500 over the maximum for medical and hospital expenses for injured State employees.

(Amends SDCL, sec. 64.0107.)

H. 597 (*Approved 2/9/68; effective 7/1/68*). Makes a widow eligible for death benefits if she was living apart from her husband at the time of his death for justifiable cause or because he had deserted her. Previously, she could receive such benefits only if she was living with him at the time of his death or was then dependent upon him for support.

(Amends SDCL, sec. 64.0402(7).)

H. 631 (*Approved 2/9/68; effective 7/1/68*). Increases maximum weekly benefits for temporary total disability and permanent partial disability to $44 from $42.

(Amends SDCL, sec. 64.0403(1).)

H. 691 (*Approved 2/15/68; effective 7/1/68*). Increases maximum weekly benefits for permanent total disability to $44 from $42, and the aggregate maximum to $22,500 from $16,000.

(Amends SDCL, sec. 64.0403(5).)

TENNESSEE

[Regular Session: 1/2/67–4/3/68]

DEBT POOLING

Ch. 537 (*Approved and effective 4/4/68*). Prohibits the business of debt pooling. Exempts attorneys; banks, fiduciaries, financing and lending institutions performing credit and financial adjusting services in the regular course of their principal business; judicial officers or others acting pursuant to court order; nonprofit organizations giving debt management service without fee or charge; and employers for their employees.

OCCUPATIONAL SAFETY AND HEALTH

Ch. 539 (*Approved 4/4/68; effective 5/14/68*). Creates the Office of Atomic Development within the executive department to, among other things, advise the Governor and legislature with regard to atomic energy research, development, education, and regulation, and to coordinate such activities within the State.

Provides for appointment of a General Advisory Committee to make recommendations with respect to coordination of atomic energy activities of the various agencies of the State.

Retains Radiological Health Service Act which regulates radiation sources.

VERMONT

[Regular Session: 1/4/67—3/23/68]

OCCUPATIONAL SAFETY AND HEALTH

Ch. 291 (*Approved 3/19/68; effective 1/1/69*). Repeals limited safety provisions applicable to factories and workshops and enacts a comprehensive safety law applicable to all places of employment. Exempts domestic employment and a farm used exclusively for agricultural purposes. Extends inspection and enforcement to all places of employment and authorizes the Commissioner of Labor and Industry to issue rules, after public hearing. Authorizes the Commissioner, if violation constitutes imminent physical hazard, to prohibit employment until violation ceases. Requires every employer to furnish a safe place of employment, and to install, maintain, and use employee protective devices and safeguards, and to make necessary corrections of any unsafe conditions.

Permits the Commissioner to appoint industrial safety advisory boards. Provides for court review of any final order, ruling, or action of the Commissioner.

(Repeals secs. 101 through 109, and enacts secs. 101 through 114, 21 V.S.A.)

STATE DEPARTMENT OF LABOR

Ch. 291. See **Occupational Safety and Health.**

WAGES—ASSIGNMENT OF WAGES

Ch. 323. See **Wages—Wage Garnishment.**

WAGES—WAGE GARNISHMENT

Ch. 323 (*Approved 3/22/68; effective 7/1/68*). Prohibits an employer from discharging an employee for the first five garnishments. For such unlawful discharge, makes the employer liable in a civil action for compensation not to exceed a period of 1

month and reasonable costs of recovering such compensation. Requires an employer, on request of an individual whose compensation is attached, to accept an assignment not in excess of 10 percent of the employee's compensation.

(Adds secs. 3165 and 3166 to Ch. 121, 12 V.S.A.)

MISCELLANEOUS

Ch. 369 (*Approved 3/27/68; effective 7/1/68*). Authorizes the Department of Education, Division of Vocational Rehabilitation, to provide employment for handicapped persons in a sheltered workshop or homework program operated by the Department, to disburse payments to such workers, and to pay inherent costs including workmen's compensation and social security.

(Adds subdiv. 6 to sec. 3014, 16 V.S.A.)

VIRGINIA

[Regular Session: 1/10/68–3/29/68]

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 178 (*Approved 3/13/68; effective 6/28/68*). Enacts a statewide compulsory school attendance law, replacing the "local option" law adopted in 1959. Requires attendance, with certain exceptions, between ages 6 and 17, instead of 7 and 16.

(Amends secs. 22-138.1, 22-218, 22-220, 22-223, 22-275.1 through 22-275.5, 22-275.13, 22-275.15, 22-275.18, and 22-275.23, Code of Va.)

Ch. 264 (*Approved 4/1/68; effective 6/28/68*). Permits minors 14 and 15 years of age to work until 9:30 p.m., rather than 9 p.m., from June 1 to September 1.

(Amends secs. 40-96 and 40-97, Code of Va.)

Ch. 277 (*Approved 4/1/68; effective 6/28/68*);

Ch. 278 (*Approved 4/1/68; effective 6/28/68*. Reorganizes and clarifies the hazardous occupations provisions applicable to the employment of minors under 18. Among other changes, tightens prohibition on the employment of minors between 14 and 18 employed on work-training certificates around dangerous machinery; prohibits minors under 18 from working in or around dangerous machinery; formerly such minors were prohibited from operating or assisting in operating such machinery; permits boys 16 and 17 to be employed as a helper on a truck having no more than two axles; and makes clear that girls 16 and 17 may be employed only in clerical work in separate office rooms in clubs, hotels, motels, and at the customer desk in laundry and dry-cleaning establishments.

(Amends secs. 40-100.4:1 and 40-109, Code of Va.)

Ch. 743 (*Approved 4/5/68; effective 6/28/68*). Provides that certificates of physical fitness required for minors under 18 shall show that the minor has been examined within 30 days of the time of his initial employment. Makes such certificates valid for a 2-year period, except that a new certificate shall be obtained if the physical requirements of a job are increased substantially during such period.

(Amends secs. 40-104 and 40-118.3, Code of Va.)

DEBT POOLING

H. J. Res. 170 (*Adopted 3/9/68*). Requests the Virginia State Bar and the Virginia Bar Association to study, among other things, whether or not nonprofit organizations rendering service without compensation to persons in connection with a debt pooling plan should be exempted from the law prohibiting the business of debt pooling as the unauthorized practice of law.

HOURS OF WORK

Ch. 263 (*Approved 4/1/68; effective 6/28/68*). Repeals provisions which permitted the Commissioner of Labor to issue temporary permits for the employment of females 18 and over for up to 10 hours a day, 56 hours a week during wartime.

(Repeals secs. 40-39 through 40-43, Code of Va.)

Ch. 274 (*Approved 4/1/68; effective 6/28/68*). Deletes from the women's hours law several specific types of permissible deviations, which in effect became superfluous by a 1966 law which exempted from the women's hours law firms which meet the requirements of the Fair Labor Standards Act with respect to hours, wages, and recordkeeping.

(Amends sec. 40-35, Code of Va.)

MIGRATORY WORKERS

Ch. 396 (*Approved 4/2/68; effective 7/1/68*). Enacts additional sanitary and safety requirements for labor camps. Among others, requires refrigeration to be made available within the camp when cooking is permitted by a family unit. Requires all migratory labor camps constructed after July 1, 1968 to have hot and cold water under pressure to common-use bathing, laundry, and kitchen facilities.

(Amends sec. 32-418, Code of Va.)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 280 (*Approved 4/1/68; effective 6/28/68*). Provides that no employer shall be granted more than one appeal to the Safety

Codes Commission for the same or a substantially similar violation of a safety requirement.

(Amends sec. 40-61.3, Code of Va.)

Ch. 310 (*Approved 4/2/68; effective 6/28/68*). Strengthens the mine safety law by making more specific and restrictive the criteria used to determine whether a mine is gaseous.

(Amends secs. 45.1-56 and 45.1-63, Code of Va.)

Ch. 314 (*Approved 4/2/68; effective 6/28/68*). Authorizes the Department of Health to assume responsibility for the perpetual custody and maintenance of radioactive materials no longer maintained by the parties operating such facilities.

(Amends sec. 32-414.4, Code of Va.)

Ch. 396. See **Migratory Workers.**

WAGE PAYMENT AND WAGE COLLECTION

Ch. 262 (*Approved 4/1/68; effective 6/28/68*). Makes it unlawful for an employer to require any employee, except executive personnel, to sign a contract which provides for a forfeiture of wages for time worked as a condition of or continuance of employment.

(Amends sec. 40-24, Code of Va.)

WORKMEN'S COMPENSATION

Ch. 8 (*Approved 2/7/68; effective 6/28/68*). Raises maximum weekly benefits for all types of disability and death to $51 from $45, and increases the aggregate maximum payable to $20,400 from $18,000.

(Amends secs. 65-51, 65-52, 65-62, and 65-68, Code of Va.)

Ch. 236 (*Approved 3/13/68; effective 6/28/68*). Adds coal miners' pneumoconiosis and other lung diseases due to occupational exposure to the list of compensable occupational diseases.

(Amends sec. 65-43.1, Code of Va.)

Ch. 347 (*Approved 4/2/68; effective 6/28/68*). Makes asbestosis compensable on same basis as silicosis at the various medically determined stages of the disease.

(Amends sec. 65-53, Code of Va.)

Ch. 377 (*Approved 4/2/68; effective 6/28/68*). Requires the employer, in addition to furnishing initial prosthetic devices, to repair or replace dentures, artificial limbs, or other prosthetic devices damaged in a compensable accident up to a maximum cost of $1,000.

(Amends sec. 65-85, Code of Va.)

Ch. 660 (*Approved 4/5/68; effective 10/1/68*). Revises, rearranges, and recodifies the general laws relating to workmen's compensation.

(Repeals secs. 65-1 through 65-134, inclusive, enacting in lieu thereof secs. 65.1-1 through 65.1-137, Code of Va.)

H. J. Res. 38 (*Adopted 3/4/68*). Extends from October 1, 1967 to October 1, 1969 the time for completion of the Advisory Legislative Council study of the operation of the Industrial Commission and the workmen's compensation law.

MISCELLANEOUS

Ch. 183 (*Approved 3/13/68; effective 6/28/68*). Enacts specific permit requirements for operators of motor vehicles used to transport to and from employment into counties with over 163,000 population (Arlington and Fairfax) all domestics and laborers who reside outside these counties. Among other conditions, requires the operator to submit a list of persons being transported.

(Amends sec. 56-274, Code of Va.)

Ch. 356 (*Approved 4/2/68; effective 6/28/68*). Requires polygraph examiners to be licensed and sets minimum qualification requirements.

WEST VIRGINIA

[Regular Session: 1/10/68–2/10/68]
[First Special Session: 1/3/68–1/10/68]
[Second Special Session: 9/11/68–9/14/68]

WORKMEN'S COMPENSATION

S. 13-XX (*Approved 9/19/68*). Authorizes the Workmen's Compensation Commissioner to establish, and to alter from time to time, a schedule of maximum amounts to be paid from the workmen's compensation fund to physicians, hospitals, and others rendering treatment to an injured employee.

(Amends sec. 3, Art. 4, Ch. 23, Code of W. Va.)

UNITED STATES

[90th Congress—Second Session]

Public Law 90–257 (*Approved 2/15/68*). Amends the Railroad Retirement and Unemployment Insurance Acts to provide benefits comparable to those under the Social Security Amendments of 1967. Increases the minimum monthly benefit for railroad retirement to $71.50 from $63.20, and the maximum benefit to $218 from $189.40. Increases the taxable wage for railroad retirement purposes to $650 from $550 a month. Increases permissible earnings without loss of benefits to $2,400 from $1,200 a year. In-

creases the maximum weekly benefit for purposes of unemployment insurance to $63.50 from $51.

Public Law 90–264 (*Approved 3/12/68*). National Visitor Center Facilities Act of 1968. Authorizes the Secretary of the Interior in consultation with the Administrator of General Services to lease the Union Station property for a National Visitor Center in the District of Columbia. Provides that the prevailing wage in accordance with the Davis-Bacon Act shall be paid to all laborers and mechanics employed by contractors or subcontractors on the alterations and parking facility.

Public Law 90–274 (*Approved 3/27/68*). Jury Selection and Service Act of 1968. Prohibits the exclusion of a citizen from grand or petit jury service in the U. S. District Courts on the account of race, color, religion, sex, national origin, or economic status. Directs each district court to devise and set in operation a written plan for selection of jurors that will assure the objectives of the act—to have a random selection of a fair cross section of the community.

Public Law 90–284 (*Approved 4/11/68*). Civil Rights, Riots, Fair Housing, and Civil Obedience Act composed of 10 different titles:

Title I makes it a Federal crime to interfere with federally protected activities which include: voting participation in any federally supported activity or program, seeking and holding a job, serving on juries, attending a public school or college, using public facilities, traveling by common carrier, making use of hotels and restaurants, or engaging in lawful activities that support those rights. Penalties provided are graduated in accordance with the seriousness of the violations, and activities of law enforcement officers are protected. Also, State prosecution of these crimes is encouraged.

Chapter 102 makes it a Federal crime to travel or use any facility in interstate commerce to incite, organize, commit any act of violence, or aid someone in furtherance of a right with penalties up to $10,000 and 5 years in prison.

Titles II through VII contain comprehensive provisions dealing with the rights (such as free speech and right to counsel) to Indians and, among other things, grant States jurisdiction over criminal and civil actions involving Indians (with the consent of the Indian tribe "occupying the particular Indian country").

Title VIII prohibits discrimination because of race, color, religion, or national origin in the rent, sale, or financing of houses.

Title IX provides criminal penalties for intimidation in fair housing cases.

Title X, the "Civil Disobedience Act of 1968," makes it a

Federal offense to teach the use of, or transport, or manufacture any firearm to be employed in a civil disorder. It is also unlawful to obstruct a fireman or law enforcement officer during a civil disorder.

Public Law 90–291 (*Approved 4/19/68*). Amends the Federal Employees' Compensation Act by extending certain death and disability benefits to law enforcement officers, not employed by the United States, who are killed or injured while apprehending violators of Federal law. Takes effect with respect to personal injuries sustained on or after April 19, 1968. Determination of eligibility for compensation and the administration of the payments are to be made by the Secretary of Labor. To be eligible, an individual must have been injured or killed in the lawful prevention of or lawful attempt to prevent the commission of a crime against the United States. Reduces the amount payable under the act by the amount of benefits provided and paid for by a State or local government.

Public Law 90–293 (*Approved 4/25/68*). Vessels—Liens for Master's Wages. Grants to the master of a vessel documented, registered, enrolled, or licensed under the laws of the United States the same lien for his wages against such vessel, and the same priority therefor, as any other seaman serving on such vessel. Excludes from the definition of "master" any person who has a 5-percent or more financial interest in the vessel. This law places the master in the same position as any seaman with regard to protection against forfeiture of lien rights, deprivation of any remedy for recovery of wages, or attachments or arrestment of wages.

Public Law 90–313 (*Approved 5/22/68*). Motor Vehicles—Accident Compensation System—Study and Investigation. Directs the Secretary of Transportation to carry out a comprehensive study and investigation of the system of automobile insurance in the United States and submit, within 24 months from the date of enactment, a final report to the President and the Congress (including the Secretary's findings, conclusions, recommendations, and any proposed legislation or action to carry out those recommendations). Provides for an Interagency Advisory Committee to consist of the Secretary of Transportation as Chairman and one representative each of the Departments of Labor; Commerce; Justice; Health, Education, and Welfare; Housing and Urban Development; and the Federal Trade Commission; Interstate Commerce Commission; and Securities and Exchange Commission; and such other Federal agencies as are designated by the President. Authorizes the Secretary and the Department of Transportation to hold such hearings as necessary with the power to

subpoena witnesses, take testimony, and order the production of documentary evidence of any corporation, but protects trade secrets.

Public Law 90–321 (*Approved 5/29/68*). Consumer Credit Protection Act. Provides the consumer with truth-in-lending and truth-in-credit advertising protections by requiring full disclosure of the terms and conditions of finance charges in credit transactions and in offers to extend credit.

Makes it a Federal offense to make extortionate extensions of credit, to finance the making of extortionate extensions of credit, or to collect any extensions of credit by extortionate means.

Establishes garnishment restrictions in Title III to be administered by the Secretary of Labor through the Wage and Hour Division. Effective July 1, 1970 limits the amount of earnings subject to garnishment to 25 percent of disposable earnings (gross earnings less deductions required by law) for that week or the amount by which the weekly disposable earnings exceed 30 times the minimum hourly wage under section 6(a) (1) of the Fair Labor Standards Act (currently $1.60 x 30 or $48), whichever is less. Exempts from the limitation payments under court support orders, court orders under Ch. XIII of the Bankruptcy Act, and debts due for State or Federal taxes. Authorizes the Secretary to exempt from this Federal restriction garnishments issued under a "substantially similar" State law.

Prohibits an employer from discharging any employee by reason of the fact that his earnings have been subjected to garnishment for any one indebtedness.

Specifies that the Federal law has no effect on State laws containing more restrictive garnishment provisions.

Establishes a National Commission on Consumer Finance to study and make recommendations to the Congress and to the President on the functions and structure of the consumer finance industry, as well as credit transactions generally. The Commission is to file a final report to the President and the Congress on January 1, 1971, and will expire 90 days thereafter.

Public Law 90–363 (*Approved 6/28/68*). Holidays—Observances on Mondays. Provides for uniform annual observances of certain legal public holidays on Mondays, and establishes a legal public holiday in honor of Christopher Columbus to be observed on the second Monday in October. The legal holidays changed to Mondays are Washington's Birthday, the third Monday in February; Memorial Day, the last Monday in May; and Veterans Day, the fourth Monday in October. Becomes effective on January 1, 1971. (Applicable to Federal employees and to observances in the District of Columbia.)

Public Law 90–364 (*Approved 6/28/68*). Revenue and Expenditure Control Act of 1968. Among other things, Title II prohibits the appointment of a full-time civilian employee to a permanent position in the executive branch during any month when the number of such employees is greater than the number on June 30, 1966; limits the number of temporary and part-time employees in any department or agency to the number of such employees during the corresponding month of 1967; allows the head of a department or agency to fill 75 percent of vacancies for permanent civilian jobs; provides that all agencies having 50 or fewer full-time civilian employees in permanent positions shall be treated as one agency and the Director of the Bureau of the Budget is to determine the vacancies in each agency to be filled; provides that nothing in the section shall supersede or modify reemployment rights under the Military Selective Service Act of 1967.

Title III postpones for 1 year to July 1, 1969, the effective date of the limitations adopted in the Social Security Amendments of 1967 as to families with dependent children under 18 who may receive aid to dependent children (AFDC) with Federal financial participation in any State for any quarter after June 1968. Prohibits the payment of AFDC to a family on the basis of the father's unemployment with respect to any week for which the father receives unemployment compensation under State or Federal law. Permits proportional AFDC payments for a month to cover the weeks for which the father did not receive unemployment insurance benefits. Postpones from January 1, 1968 to January 1, 1970, a prohibition upon matching funds to States which have not purchased supplementary medical insurance for their needy aged.

Public Law 90–391 (*Approved 7/7/68*). Vocational Rehabilitation Amendments of 1968. Extends through 1971 the authorization for appropriations for the basic program of grants to States under section 2 of the Vocational Rehabilitation Act. Provides a minimum State allotment of $1 million and permits States to use up to 10 percent of their funds under this section for construction of rehabilitation facilities. Extends through 1971 the authorizations which grant to States funds for developing new rehabilitation services and provide for a reallotment if such funds are unused. Extends the authorization for appropriations for grants for special projects until 1971 and expands authority for projects to include projects for (a) mentally retarded, (b) training for the handicapped, (c) grants for training manpower agencies serving the handicapped, and (d) grants for developing new opportunities for the handicapped. Extends authorization for

appropriations for construction of rehabilitation facilities and for rehabilitation facilities improvement. Adds new section providing for vocational evaluation and work adjustment services for certain conditions that are a barrier to employment. Increases the appropriation authorization for the President's Committee on Employment of the Handicapped.

Public Law 90–430 (*Approved 7/26/68*). Employment Security Administration Account—Transfers. Extends for 5 years the period during which amounts transferred from the employment security administration account in the unemployment trust fund to State accounts may be used by States for payment of expenses of administration. In 1963, when the initial 5-year period for the use of these funds was due to expire, the period was also extended 5 years.

Public Law 90–445 (*Approved 7/31/68*). Juvenile Delinquency Prevention and Control Act of 1968. Provides for matching grants to States up to 90 percent for State and local planning; 60 percent for rehabilitative services; 75 percent for prevention services; and 90 percent for State technical assistance to local units. Specifies that in order to qualify for grants, a State is to submit a juvenile delinquency plan to the Secretary of Health, Education, and Welfare which must include coordination of programs under the Elementary and Secondary Education Act of 1965, the Social Security Act, and the Manpower Development and Training Act of 1962. If a State has no approved plan, grants can be made directly to local agencies and organizations.

Permits the Secretary of Health, Education, and Welfare, with the concurrence of the Secretary of Labor, to make grants or contracts for projects for the training of personnel in the field of juvenile delinquency prevention and treatment, including counseling of parents of delinquents.

Provides that prevailing wages in accordance with the Davis-Bacon Act shall be paid to all laborers and mechanics employed by contractors or subcontractors on construction financed wholly or partially by grants under the act.

Public Law 90–448 (*Approved 8/1/68*). Housing and Urban Development Act of 1968. Provides the most extensive housing and urban development program since the Housing Act of 1949. Significant new programs authorized by the bill include Federal subsidies to help the poor buy their own homes and rent apartments, Federal underwriting of the insurance industry against riot losses, flood insurance for homeowners, and new urban renewal programs.

Among other things, specifies that the Davis-Bacon Act applies to various construction programs under the act. Extends to

October 1, 1969 the interim planning requirements under the basic water and sewer facilities grant program. Provides that in administering the program, to the greatest extent practicable, new job opportunities shall be provided for unemployed or underemployed persons.

Extends the expiration date (until July 1, 1970) for the emergency mass transportation grant program under which the Department of Housing and Urban Development provides grants to States and local public bodies and agencies for the acquisition, construction, or improvement of urgently needed urban mass transportation facilities.

Authorizes the Secretary of Housing and Urban Development to provide financial and technical assistance in the establishment of housing and related facilities for trainees and their families who are residents of a rural area and having other listed qualifications. Before providing such assistance, the Secretary would have to consult with the Secretary of Labor, the Secretary of Health, Education, and Welfare, and the Director of the Office of Economic Opportunity, and find that the housing and related facilities cannot reasonably be provided in any other way. Provides that the selection of training sites and location of housing is to be made with "due regard to economic viability of the area, and only after consideration of a labor area survey and full coordination among all Government agencies having primary responsibility for administering related programs."

Public Law 90–491 (*Approved 8/17/68*). Servicemen—Reemployment. Amends the Universal Military Training and Service Act to protect reservists and guardsmen from being discriminated against in employment because of their military obligations; to extend the court enforcement provisions to the newly protected reservists and guardsmen; and to provide reemployment rights for servicemen who, at the request and for the convenience of the Government, voluntarily or involuntarily serve their country for a period beyond the present 4-year period for which reemployment rights are normally given. Also conforms reemployment rights of Federal and District of Columbia employees to those provided for private employees.

Public Law 90–495 (*Approved 8/23/68*). Federal-Aid Highway Act of 1968. Contains Davis-Bacon and equal employment opportunity provisions. 1. The Davis-Bacon provisions apply to the "initial construction" of primary and secondary highways, the same wage protection which is afforded on the "initial construction" of the Interstate System. However, the provision does not apply to employment under apprenticeship or skill training programs which are certified by the Secretary of Transportation as

promoting equal employment opportunity in connection with Federal-aid highway construction programs. 2. Adds a new section (section 140) to the Federal-Aid Highway Act that: (a) Provides a system for prequalifying contractors in connection with equal employment opportunity requirements created by Executive Order 11246 (September 24, 1965). (b) Requires the Secretary of Transportation to receive assurances from the States seeking approval of programs that employment and apprenticeship programs on Federal-Aid Highway projects are open to all qualified applicants. (c) Authorizes the Secretary of Transportation to obtain periodically from the Secretary of Labor and the States information enabling him to judge compliance.

Public Law 90–526 (*Approved 9/28/68*). White House Conference on Aging. Authorizes the President to call a White House Conference on Aging in 1971 to develop recommendations for further research and action in the field of aging. Provides that the conference will be planned and conducted by the Secretary of Health, Education, and Welfare and will bring together representatives of State, local, and Federal Governments; persons with experience in working with problems of the aging; and the general public (including older persons themselves). Specifies that the purpose of the conference is to make plans assuring middle-aged or older persons equal opportunity; to enable retired persons to have sufficient monies and suitable housing and to develop interests and social contacts; to step up medical research; and to evaluate progress since the last White House Conference.

Public Law 90–560 (*Approved 10/12/68*). Federal Wage Board Employees (Base Pay Rates). Among other things, permits local Federal wage boards to base pay rates for wage board employees (Federal "blue collar" employees) on data drawn from other areas if the agency has determined that an insufficient number of "comparable" positions exists in the local area. After consideration of relevant evidence, including that submitted by unions, a written decision must be issued by the Federal board or agency making the wage survey.

Public Law 90–574 (*Approved 10/15/68*). Public Health Service Amendments of 1968. Includes grants of up to 66-2/3 percent of the total cost to assist public or nonprofit private organizations in the construction of facilities for the prevention and treatment of alcoholism and narcotics addiction. (This construction work is subject to the prevailing wage requirements of the Davis-Bacon Act.) Extends from June 1968 to June 1970 the special grant program (to public and other nonprofit agencies) for family health service clinics for domestic migratory farmworkers.

Public Law 90–575 (*Approved 10/16/68*). Higher Education Amendments of 1968. Among other things, extends the educational opportunity grant program under the Higher Education Act (providing for Federal scholarship funds to needy students) for 3 years.

Extends the Higher Education Facilities Act to 1971 and increases the maximum Federal share to 50 percent in Titles I and II of the act.

Provides that the Director of the Office of Economic Opportunity may not limit the number and percentage of participants in any in-school Neighborhood Youth Corps program who are 14 and 15 years of age.

Public Law 90–576 (*Approved 10/16/68*). Vocational Education Amendments of 1968. Authorizes $355 million for fiscal year 1969, $565 million for fiscal year 1970, $675 million each for fiscal 1971 and 1972, and $565 million for fiscal year 1973 and each succeeding year for basic vocational education programs and research and training. Ninety percent of these funds are for grants to States for basic vocational education.

Establishes a 21-member National Advisory Council on Vocational Education to be appointed by the President; requires each State desiring to receive a grant to establish a State advisory council. Among other things, the State councils must include Comprehensive Area Manpower Planning System representatives. Authorizes grants to States to assist them in conducting vocational education programs for persons of all ages.

Authorizes a 3-year $147-1/2 million program under a new Part D of the Vocational Education Act (Exemplary Programs and Projects). Makes 50 percent of the sums available for grants to or contracts with State boards or local education agencies for promoting cooperation between public education and manpower agencies; the State boards are to use the other 50 percent to make grants or contracts for exemplary occupational education programs. The new Part D is intended to "stimulate, through Federal support, new ways to create a bridge between school and earning a living, for young people, who are still in school, who have left school either by graduation or by dropping out, or who are in post-secondary programs of vocational preparation, and to promote cooperation between public education and manpower agencies."

Adds a new Part E to the Vocational Education Act (Residential Vocational Education) which authorizes appropriations of $25 million for fiscal year 1969, $30 million for fiscal year 1970, and $35 million each in fiscal years 1971 and 1972, for the Commissioner of Education to make grants for the construction and

operation of residential schools to provide vocational education for youths of high school age. Also authorizes appropriations of $15 million each for fiscal years 1969 and 1970 for grants to States to provide residential vocational education facilities. Federal share in the construction of these facilities is maximum of 90 percent of costs. In making grants under the Part, the Commission is to give special consideration to the needs of large urban areas having substantial numbers of youths who have dropped out of school or who are unemployed. Provides that prevailing wages determined in acordance with the Davis-Bacon Act shall be paid to all laborers and mechanics employed by contractors or subcontractors on vocational education construction projects.

Authorizes appropriations for grants to States for programs of vocational education designed to prepare students for employment through cooperative work-study arrangements.

Authorizes appropriations for fiscal years 1969 and 1970 for State programs to provide work-study arrangements for students in vocational education.

Among other things, requires Commissioner of Education to (1) make a special study of the feasibility of transferring the Job Corps facilities to State or joint Federal-State operation in conjunction with the residential vocational education program, and (2) submit a report to the appropriations committees of the Congress not later than March 1, 1969.

Public Law 90–577 (*Approved 10/16/68*). Intergovernmental Cooperation Act of 1968. Requires Federal agencies administering grant-in-aid programs to inform the Governor and State legislature, on request, of the purpose and amount of the grants made to that State or political subdivision thereof. Relieves the States of previous requirements that grant funds be deposited in a separate bank account and that the States account for interest earned pending their disbursement; and requires that grant funds be transferred as close as possible to the time of disbursement by the State. Provides that the administering Federal agency may, upon request of the Governor or State legislature, waive the requirement of a single administering State agency if the State can show that this requirement would interfere with efficient administration of the program and the Federal agency determines it will not hamper the program. Permits Federal agencies to provide States with "specialized or technical services" on a reimbursable basis provided that the services are not "reasonably and expeditiously available through ordinary business channels." Requires the President to issue regulations providing that Federal development assistance policy will be formulated in such manner as to provide for sound and orderly development of both urban

and rural areas; and requires Federal agencies to favor units of general local government rather than special purpose units of local governments when making loans or grants. Amends the Federal Property and Administrative Services Act by setting forth policies to help assure that acquisition, use, and disposal of land within urban areas by Federal agencies will be in conformity with local government planning; and requires congressional review every 4 years of grant programs of indefinite duration. Requires the Comptroller General, upon request of the Congressional Committee having jurisdiction of a grant program, to make a study of the program.

Public Law 90–602 (*Approved 10/18/68*). Radiation Control for Health and Safety Act of 1968. Authorizes the Secretary of Health, Education, and Welfare to prescribe performance standards for electronic products to limit emission of radiation. Also requires HEW to conduct studies on the present state of control of radiation hazards, the need for standards for use of electronic products, and practical procedures to detect radiation. In addition, requires the Secretary to establish a Safety Standards Committee of 15 members and consult with it before setting standards. Requires every manufacturer to certify that his products conform to such standards and to repair or replace defective products or refund the purchase price. Products not meeting these standards may not be imported.

Public Law 90–636 (*Approved 10/24/68*). Manpower Development and Training Act Amendments. Extends the following expiring authorities under the act to June 30, 1970: labor mobility demonstration projects; trainee placement assistance demonstration projects; authority for training in correctional institutions; and appropriation authority for training programs in correctional institutions. Other authority conferred under Title II is extended to June 30, 1972.

Requires the Secretary of Labor to develop a "labor market" information system to assist in recruitment, training, placement, etc. Also requires him to develop and publish information on job opportunities for use in job placement and a program for matching the qualifications of unemployed, underemployed, and low-income persons with employer requirements and job opportunities.

Eliminates the $20 per week maximum on regular youth training allowances in order to bring these allowances more into line with adult allowances.

Requires the Secretaries of Labor and Commerce, after consultation with other appropriate Government officials and representatives of labor and management, to study and report to the President and the Congress by the end of 1969 on means of

stabilizing employment and diminishing seasonality of employment in the construction industry.

Requires the Secretary of Labor to receive for consideration any application from an individual desiring to conduct an on-the-job training program.

Requires that priority shall be given to the use of skills centers in conducting programs relating to institutional training.

Requires that not less than $750,000 (or $100,000 in the case of Guam, the Virgin Islands, and American Samoa) of institutional and on-the-job training funds shall be apportioned to any State. Permits reapportionment only after 9 months rather than 6; requires 15 rather than 30 days prior notice of reapportionment; and eliminates the provision indicating that the notice requirement is inapplicable with respect to reapportionments made during the last quarter of the fiscal year. Permits States to approve project applications up to 20 percent of apportioned funds without further Federal approval where the State council plan has been approved by the Secretaries of Labor and Health, Education, and Welfare and complies with various planning requirements; permits the States to approve other project applications which conform to the State plan unless either the Secretary of Labor or of Health, Education, and Welfare disapproves the application within 30 days.

Requires 2 percent of the act's funds for training of personnel and providing technical assistance in connection with the act's programs.

Adds a new Title V, establishing a supplementary program on a matching-fund basis for programs to assist disadvantaged persons in moving into productive employment.

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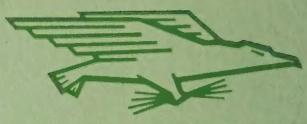

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